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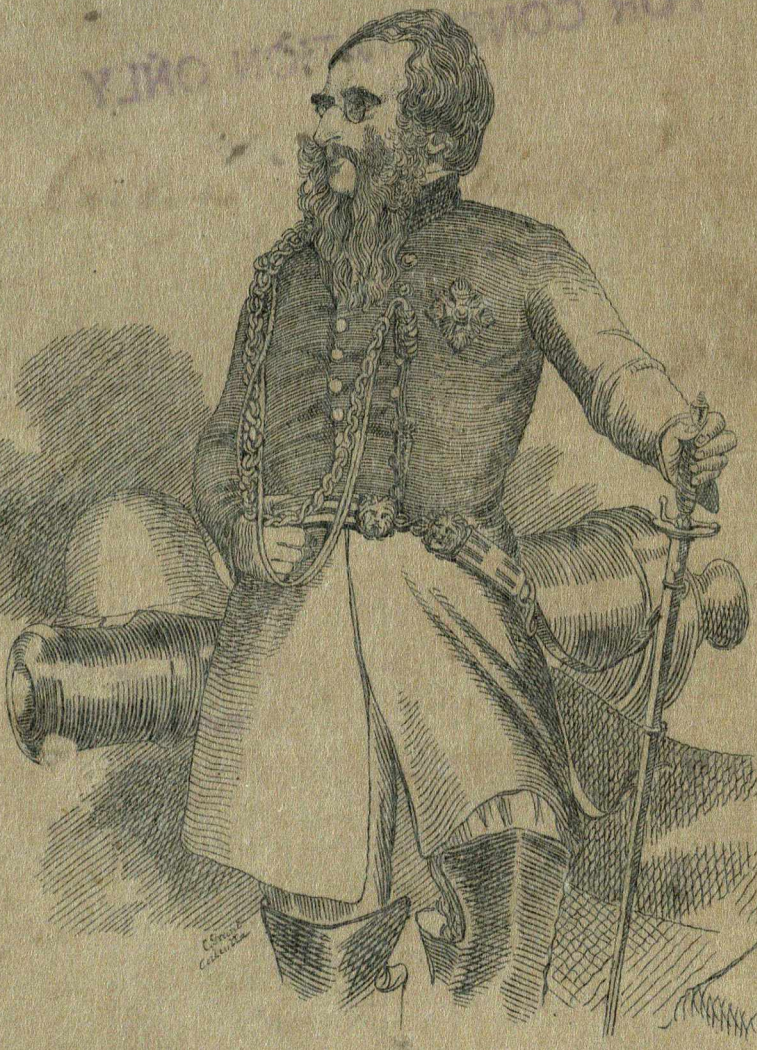

Napier

RARE
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RECORDS

OF

THE INDIAN COMMAND

OF

GENERAL SIR CHARLES JAMES NAPIER, G. C. B.,

COMPRISING

ALL HIS GENERAL ORDERS, REMARKS ON COURTS MARTIAL, ETC. ETC.,

WITH

AN APPENDIX,

CONTAINING REPORTS OF SPEECHES, COPIES OF LETTERS, AND NOTICES OF HIS PUBLIC PROCEEDINGS, EXTRACTED FROM CONTEMPORANEOUS PRINTS.

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COMPILED BY

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PREFACE.

THE compiler has endeavoured to form a complete chronicle of the public acts of Sir Charles Napier's administration as Commander-in-Chief in India. That administration has been rather judicial than martial. The conqueror of Scinde came to lead the Indian Army in the field; he remained to attempt its reformation on the parade and in cantonments. The sword of war being sheathed, he laid his hand to that of justice. Hence this book contains no triumphant despatches telling of hard-won victories. It is filled chiefly with the records of more than two hundred Court Martial trials which passed under His Excellency's supervision. Of miscellaneous notifications, including all that could be supposed to have emanated from the Commander-in-Chief personally, the number here collected does not exceed thirty. The appendix contains, embodied in extracts from contemporaneous prints, some detached passages of the veteran's too brief Indian career.

Many of the Court Martial trials have been passed by His Excellency with a bare notification of his approval and confirmation; but even these it has not been deemed advisable to exclude from a work designed to illustrate an administration so thoroughly judicial in its character. They do not serve to display the old hero's strength of feeling and expression; but they will help, in their place, to exemplify the manner in which he discharged the office of supreme military judge.

In the short period,—not much exceeding a year and a half,—during which Sir Charles Napier was at the head of the Indian Army, fourteen officers of Her Majesty's regiments in India and thirty-six officers of the Bengal Military Service were tried by General Court Martial. Only one of the former and two of the latter were acquitted. Of those convicted, six Queen's officers and fifteen Company's officers were cashiered or dismissed. Two of the former and one of the latter were pardoned by the Commander-in-Chief. In the case of one Bengal officer,—Lieut. Robert Renny, 47th N. I.—Sir Charles refused the reprimand awarded by the Court, substituting a compliment in its place. In another case—that of the late Dr. Edward Edlin—he cancelled the sentence of suspension when about half its term had run.

Of the six Queen's officers removed from the Army two owed their downfall to drink; one was

expelled for fraud and falsehood; one for using insulting and abusive language to a brother officer; one for neglect of duty; and one for breaking his arrest and associating with private soldiers. Of the Company's officers who lost their commissions, two were removed for drunkenness; seven for misconduct in money matters; three for being concerned in a duel; one for dishonest gambling; one for an attempt at seduction; and one for abuse of authority and disobedience of orders.

Only eight European non-commissioned officers were brought to trial; of these two were acquitted and two received pardon.

As many as eighty European private soldiers were tried by General Court Martial, of whom ten were acquitted, one was pardoned, and in two cases the Commander-in-Chief annulled the proceedings by refusing his confirmation. Two men were each twice convicted and punished. In eighteen of the sixty-nine cases in which the sentence was confirmed, the punishment was mitigated in a greater or less degree by His Excellency.

Twenty-eight Native commissioned officers were tried, and twenty-five of them convicted. Of these three were pardoned; ten were dismissed from the service; four received a mitigated punishment; and eight underwent the sentence awarded by the Court.

Twelve Native non-commissioned officers were brought to trial, and only one of them acquitted.

Of the eleven convicted, one was pardoned; two escaped, from the proceedings not being confirmed; three had their sentences mitigated; and four were dismissed.

Of Native private soldiers only twenty-three, exclusive of the mutineers of the 22nd and 66th Regiments, were tried by General Court Martial, and four of these were acquitted. Of the nineteen convicted, only seven received the full measure of punishment awarded in the sentence.

The compiler has condensed the records of the Courts Martial as much as was compatible with a clear and correct statement of the case; and he trusts that while thus getting rid of much unnecessary verbiage that would have given great bulk to a book, which even now has out-grown his calculations, he has facilitated the task of reference and perusal. It is only the charges and findings that he has thus cut down; the recommendation of the Court, when any was offered, and the remarks of the Commander-in-Chief when any were appended, he has given as he found them in General Orders. No arrangement has been attempted; the Court Martial and other notifications being given, generally, in chronological succession. The Index will, he trusts, render reference to any particular case or order sufficiently easy.

J. M.

CALCUTTA,
24th April, 1851.

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†† Captain Brine was again tried by General Court Martial at Jullunder on the 25th October 1850, and sentenced to be cashiered, but the results were not published, Sir Charles Napier having referred the proceedings, confirmed and approved by him, to the Commander in Chief of Her Majesty's Forces. In G. O. 15th March 1851, it is announced that Captain Brine has received Her Majesty's pardon and been restored to the service, with a view to his being placed upon the half pay list on his arrival in England, whither he is directed to proceed.

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* Cashiered or dismissed.

† Acquited.

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‡‡ Punishment mitigated by C. in C. §§ Proceedings not confirmed.

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* Cashiered or dismissed. ‡‡ Punishment mitigated by C. in C.
† Acquitted. ¶ Pardoned.
§§ Proceedings not confirmed.

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* Cashiered or dismissed.
† Acquitted.
‡‡ Punishment mitigated by C. in C.
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§§ Proceedings not confirmed.
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ERRATA.

P. 93, line 8, insert *Approved and confirmed.*
P. 145, omit case of Private John Creane, inserted *ante p.* 124.
P. 160, for Fiman read *Finan.*

GENERAL ORDERS

BY HIS EXCELLENCY

SIR CHARLES NAPIER, G.C.B.,

COMMANDER IN CHIEF IN INDIA.

Assumption of the Command,

ETC. ETC. ETC.

BY THE HON'BLE THE PRESIDENT OF THE COUNCIL OF INDIA IN COUNCIL.

Fort William, 7th May 1849.

No. 178 of 1849.—His Excellency General Sir Charles James Napier, Knight Grand Cross of the most honorable Military Order of the Bath, having been appointed by the Honorable the Court of Directors, in their letter, in the Public Department, dated the 7th March 1849, to be Commander in Chief of the East India Company's forces in India, and also to be an Extraordinary Member of the Council of India, which appointments are to take effect upon, and from his assuming the command of Her Majesty's forces in the East Indies, and the

said General Sir Charles James Napier, having now informed the Honorable the President in Council, that he assumed the command of Her Majesty's forces in the East Indies on this date, the Honorable Court's orders and the Commissions appointing General Sir Charles James Napier are now read.

The oaths of office being administered to General Sir Charles James Napier, His Excellency takes his seat as a Member of the Council of India, under the usual salute from the ramparts of Fort William.

Ordered, that the appointment of General Sir Charles James Napier be communicated to the army in General Orders, and that the Commission constituting His Excellency Commander in Chief be read, with the usual ceremonies, to the troops in garrison and at the different stations of the army.

Ordered, that all returns of the army be made, in the usual manner, to General Sir Charles James Napier as Commander in Chief.

The Honorable the East India Company.

To all to whom these presents shall come, send greeting. Know ye, that we the said Company, reposing especial trust and confidence in General Sir Charles James Napier, Knight Grand Cross of the most honorable Military Order of the Bath, do by these presents constitute and appoint him the said Sir Charles James Napier to be Commander in Chief of all our military forces, which now are or may hereafter be employed in the East Indies, except such forces as are or shall be employed in our service within our fort and

garrison of Fort William in Bengal and the town of Calcutta, and in our fort and garrison of Fort St. George and town of Madraspatnam, and in our fort and garrison of Bombay, and except such forces, as shall from time to time be employed in our service within the respective Presidencies of Fort St. George and Bombay, or within any settlements or places subordinate thereto respectively, when he the said Sir Charles James Napier shall not be resident within such last mentioned Presidencies or places respectively, which office of Commander in Chief aforesaid the said Sir Charles James Napier is to take upon him, upon and from his assumption of the command of Her Majesty's forces in the East Indies, and to hold and enjoy the same during our pleasure, and until the contrary thereof shall be signified under our common seal, or under the hands of thirteen or more of our Court of Directors for the time being; and we do hereby authorize, empower and require him the said Sir Charles James Napier, as Commander in Chief aforesaid, to the utmost of his skill and power to do and perform all such offices and services as appertain to the post of Commander in Chief of all our military forces in the East Indies, except as aforesaid, subject to such removal or recal, as can or may be made by any Law now in force, and subject also to all such rules, orders and instructions as he shall from time to time receive from our Court of Directors in writing, under the hands of thirteen or more of them, or from the Governor General of India in Council, or from the Governor in Council of Fort St. George, or the Governor in Council of Bombay, whensoever he shall be present at or within either of those Presidencies respectively, or at or within any settlements or places subordinate thereto, according to the rules and discipline of war, in pursuance of the trust hereby reposed in him; and we do hereby

strictly require, charge and command all commissioned Officers, non-commissioned Officers, Soldiers and others belonging to our military forces in the several places before mentioned, except as aforesaid, to yield to him the said Sir Charles James Napier as their Commander in Chief due obedience accordingly, and we do hereby revoke and annul all and every former Commission or Commissions to any other person or persons whomsoever to act as Commander in Chief of our forces in the East Indies, from the time that this present Commission shall take effect. Given under our common seal, this nineteenth day of March, in the twelfth year of the reign or our Sovereign Lady Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and in the year of our Lord one thousand eight hundred and forty-nine.

By order of the Court of Directors of the said Company.

(Signed) JAMES C. MELVILL,
Secretary.

EAST INDIA HOUSE;
London, 24th March 1849.

L. S.

(A true copy,)

(Signed) JAMES C. MELVILL, *Secretary.*

(Signed) R. WYLLIE, *Major,*
Offg. Secy. to the Govt. of India,
Mily. Dept.

Order on Assuming Command.

1. Her Majesty having been graciously pleased to nominate General Sir Charles James Napier, G. C. B., to be Commander in Chief of all Her Majesty's forces serving in the East Indies, and the

Honorable the Court of Directors having appointed him to the command of the Honorable Company's forces in India, from his assumption of the foregoing appointment, he deems it right thus to announce in General Orders, that he this day assumes the duties of his command, with the concurrence of His Honor the President in Council.

2. General Sir Charles James Napier in thus assuming the command, in consequence of the Right Honorable Lord Gough's period of service having ended, cannot do so without directing that the honors hitherto paid to this distinguished Nobleman be continued to him by those armies at whose head he has gained so many victories.

3. To the Queen's and Company's armies Sir Charles James Napier has only to express the pride he feels at once more serving with them, and the pleasure with which he heard on reaching the East, that at Goojerat they had added a fresh victory to their annals, and a new conquest to our empire.

4. All reports, returns, and correspondence relative to her Majesty's and the Honorable Company's forces, are to be sent to the heads of the various military departments, as usual.

5. The Commander in Chief will proceed in a few days to join the army in the north, and will inform the Adjutant General of the Army when he leaves Calcutta, in order that any communication

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of importance, requiring His Excellancy's immediate decision, may be forwarded to meet him on the march.

6. The Commander in Chief will receive the heads of departments, on public business, from 10 to 12 o'clock A. M. any day of the week, Council days and Sundays excepted.

7. His Excellency will be happy to receive all Officers and Gentlemen, who may wish to see him, on Mondays and Thursdays, from 12 until 2 o'clock.

8. In cases of public emergency, the Commander in Chief may be seen on any day and at any hour.

The Cammander in Chief is pleased to make the following appointments on His Excellency's personal Staff, from this date :

Major J. P. Kennedy, Her Majesty's 25th foot, to be Military Secretary.

Major W. C. E. Napier, Her Majesty's 25th foot, to be Aide-de-Camp.

Major W. M. G. McMurdo, Her Majesty's 78th foot, to be Aide-de-Camp.

Lieutenant E. D. Byng, 1st European Bengal fusiliers, to be Aide-de-Camp.

Lieutenant Sir E. FitzG. Campbell, Bart., Her Majesty's 60th rifles, to be Aide-de-Camp.

Lieutenant Colonel G. T. C. Napier, Her Majesty's Cape mounted rifles, to be extra Aide-de-Camp.

Captain H. W. Bunbury, Her Majesty's 33rd foot, to be extra Aide-de-Camp.

Captain F. P. Harding, Her Majesty's 22nd foot, to be Persian Interpreter.

Assistant Surgeon A. Gibbon, of the Bengal medical service, to be Surgeon.

Courts Martial.

Gunness Sing, Resuldar, 18th Irregular Cavalry.

Tried by General Court Martial at Mhow, 18th April 1849.

Charge.—Conduct highly unbecoming a Native Officer. 1st.—In having, in breach of positive orders from his commanding Officer, Captain Ryves, and to the great detriment of discipline, lent money on interest to men of the regiment; 2nd.—In having, disrespectfully required that the permission given him by his commanding Officer to take exercise on horseback should be certified in writing, insinuating that no dependance could be placed on the verbal permission given by Captain Ryves, through the Adjutant of the regiment; 3rd.—In having, conducted himself in a highly disrespectful manner to his commanding Officer Captain Ryves, by doubling his fist and using other violent gestures in his presence, and falsely asserting that Captain Ryves had released him from arrest, and afterwards denied having so released him, and publicly calling out, on leaving Captain Ryves' presence, that he had been illtreated by that Officer.

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowances for three months.

Revised Sentence.—Dismissal from the Service.—*Approved and confirmed.*

Recommendation by the Court.—The Court, on account of the prisoner's length of service, beg to recommend him

to the favorable consideration of His Excellency the Commander in Chief.

Gunness Sing will be struck off the strength of the 18th irregular cavalry, from the date on which this order may be published to the corps.—*Meerut, 10th June* 1849.

Private Thomas Walley, H. M. 60th Foot.

Tried by General Court Martial at Wuzeerabad, 24th May 1849.

Charge.—Murder of Sewraj Sing Sepoy, by rifle shot.

Finding.—Not Guilty.

Confirmed.—I cannot say approved, for I never read such inefficient proceedings in my life. Court, officiating Judge Advocate, and evidence, all inefficient ! The prisoner must return to his duty.—*Head Quarters, 12th June* 1849.

Diaram Opediah, Jemadar, 2nd N. I., (Grenadiers.)

Tried by General Court Martial at Umballah, 28th May 1849.

Charge.—Giving false evidence before a Regimental Court Martial.

Finding.—Guilty.

Sentence.—Dismissal from the service, and forfeiture of arrears.—*Approved and confirmed.*

Recommendation of the Court.—The Court, having performed their unpleasant duty, do now beg most respectfully, on account of the Jemadar's long service and high standing, and also on account of the many months he has been in confinement, to recommend him to the favorable consideration of the Commander in Chief.

Remarks by the Commander in Chief.—When an honorable soldier commits a military crime, not of a disgraceful nature, I always feel disposed to favor him; and, in such a case, a Court Martial is sometimes justified in recommending such a man to mercy, and the Court's recommendation is then of great weight. But when an Officer perjures himself as a witness before a Court Martial, (as the Jemadar has been proved to have done) the Court, which convicted him of this heinous offence, has no right whatever to recommend him to mercy; to do so is to insult the army, and I reject their recommendation with the condemnation which it deserves.—*Umballah, 13th June* 1849.

Drill Sergeant John Stokes, 2nd Brigade Horse Artillery.

Tried by General Court Martial at Umballah, 11th June 1849.

Charge.—Having, at Umballah, on the 4th day of May 1849, feloniously and unlawfully discharged a pistol, loaded with gunpowder and a metal bullet or other destructive substance, at Mrs. Caroline Brock, widow, with intent, then and there, and thereby feloniously, wilfully and of his malice aforethought, to kill and murder the said Caroline Brock.

Finding.—Guilty of having discharged a pistol at Mrs. Caroline Brock; Not Guilty of the remainder of the charge.

Sentence.—Imprisonment in the quarter guard for three months.—*Approved and confirmed.*

Recommendation to Mercy.—In consideration of the previous admirable character held by the prisoner, the Court

beg most respectfully to recommend him strongly to the merciful consideration of His Excellency the Commander in Chief.

Remarks by His Excellency the Commander in Chief.—I have great pleasure in complying with the recommendation of the Court, as I cannot believe that a brave and good Soldier, as the prisoner is said to be, could have intended to injure a woman.—*Head Quarters, 21st June* 1849.

Sewram, Sepoy, 51st N. I.

Tried by General Court Martial at Jullunder, 4th June 1849.

Charge.—Desertion from his regiment when on active service at Mooltan, and carrying off his arms and accoutrements.

Finding.—Guilty.

Sentence.—Transportation for life.—*Approved and confirmed.—Head Quarters, 20th June* 1849.

Omrao Lall, Sepoy, 7th N. I.

Tried by General Court Martial at Loodianah, 24th May 1849.

Charge.—Violently assaulting and severely wounding with a sword, Subadar Dhowkul Sing, his superior Officer.

Finding.—Guilty.

Sentence.—Transportation for life.

To be revised.—The Court ought to have sentenced death for this attempt at assassination, as gross as ever attempt was. If the Court does not sentence capital punishment, the Members cannot

complain if they are some day made victims !—12*th June* 1849.

Revised Sentence.—Death by hanging.—*Approved and confirmed.*

Remarks.—The Court having passed a proper sentence upon the culprit, I will commute the capital punishment into that of imprisonment, with hard labor, for life; and the prisoner is to be transported beyond Sea for life, there to undergo his imprisonment.—*Head Quarters*, 27*th June* 1849.

Previous Convictions.

Head Quarters, Simlah, 4th July 1849.

The Commander in Chief has to call the attention of Officers conducting the proceedings of Courts Martial to the provisions of the Articles of War, which require that it shall be first proved that the prisoner has been duly warned of the intention to produce evidence of previous convictions before any evidence whatever regarding them is received. This rule is violated when, as is now too commonly the case, the examination of the prosecutor or other Officer commences by inquiring, whether he has evidence to give regarding previous convictions. The proper questions are the following : the first is never to be omitted, and must precede all other questions invariably ; the second will be put or not according to the circumstances.

1st. Q. Has the prisoner been warned that his former convictions would be brought in evidence against him?

A. "Yes," or "there are no previous convictions."

2nd Q. State what you know upon the subject of former convictions against the prisoner?

A. ———

Courts Martial.

Private Robert Tredger, 1st European Bengal Fusiliers.

Tried by General Court Martial at Cawnpore, 23rd May 1849.

Charge.—Insubordinate conduct.

1st. In having, at Cawnpore, on the morning of the 14th of April 1849, refused to mount guard on his ordinary turn, when a prisoner in the dry room.

2nd. For having, when a prisoner in the dry room, on the evening of the 15th of April 1849, struck No. 1390, Private Denis Murley, of the same regiment, when on duty as sentry over the prisoners, and, at the same time and place, thrown a bolster or pillow at, and therewith struck, his superior Officer, No. 211, acting Sergeant Thomas Shaw, being in the execution of his office.

3rd. For having, on the morning of the 17th April 1849, when brought before his commanding Officer Lieutenant Colonel G. Huish, C. B., at the orderly room of the regiment, declared to that Officer, that he would not soldier any longer, and that he might bring him to a Court Martial, if he liked, and otherwise behaving disrespectfully in the presence of his commanding Officer.

4th. For having, about the same time and place, when ordered back to the guard, snapped his fingers, with an air

of defiance, at Lieutenant Colonel G. Huish, C. B., his commanding Officer, in the execution of his office; such conduct being subversive of good order and military discipline.

5th. For having, at Cawnpore, on the 1st of May 1849, disobeyed the lawful command of his superior Officer 2nd Lieutenant W. H. Forshall, of the same regiment, by whom he had been ordered to extinguish a pipe, which he, Private Tredger, was smoking in the dry room of the same regiment.

6th. For having, at the same time and place, made use of obscene and disrespectful language to Lieutenant Forshall, the Subaltern Officer of the day, when in the execution of his office.

Finding.—Guilty.

Sentence.—Imprisonment for one year, with solitary confinement for the first 14 days in the 5th, 6th, 7th, 8th, 9th and 10th months of such imprisonment.

To be revised.—Because the Court, by not referring to the Mutiny Act, Section 13, has passed an erroneous sentence, which I have no power to confirm. There must be a lunar month of imprisonment between every two periods of solitary confinement.—*Cawnpore, 6th June* 1849.

Revised Sentence.—Imprisonment, for one year; and to be kept in solitary confinement for a lunar month of twenty-eight days, in the sixth, eighth and tenth months, respectively, of such imprisonment.—*Approved and confirmed.*—*Cawnpore, 20th June* 1849.

Remarks.—The solitary confinement is limited to fourteen (14) days in the sixth, eighth and tenth months respectively. The sentence to have effect from 23rd May 1849.—*Head Quarters, 27th June* 1849.

Private Owen McAteer, H. M. 29th Foot.

Tried by General Court Martial at Ferozepore, 25th June 1849.

Charges.—Being drunk in barracks; and having twice struck his superior Officer, Corporal John Walker.

Finding.—Guilty.

Sentence.—Fifty lashes and one year's imprisonment.—*Approved and confirmed.—Head Quarters, 6th June* 1849.

Payment of Transferred Men.

Head Quarters, Simlah, 9th July 1849.

1st. On the 8th February 1849, General Orders were issued relative to the march of the wounded men from Chilianwalla to Ferozepore.

2nd. Among other attendants, four Lascars were ordered to be furnished by Her Majesty's 61st regiment, and the commanding Officer paid them up to the day on which he made them over; viz. 10th February, and thought he had done with them.

3rd. On the 10th May following, they rejoined the 61st regiment at Peshawur, and during that long period of a quarter of a year, these poor men had received no pay!

4th. The Commander in Chief will not here enter upon the discussion whether the Officer commanding the 61st, or the medical Officer at Ferozepore, was the proper person to pay these men, this discussion being one of an ordinal nature, and no blame attaches to either opinion, if the medical Officer at Ferozepore, on their arrival, immediately

sought to remedy the error, which he does not appear to have done.

5th. But blame does attach to the Officer who received these four Lascars from the 61st regiment, and this calls for an order from the Commander in Chief, to inform Officers that it is their duty when receiving men from any other Department or Authority, to ascertain first, that such men are settled with up to the day on which such new Commander receives them ; and next, how they are to be subsisted while under his own orders. This is the rule in all armies, and Sir Charles Napier must insist on Officers paying strict attention to it.

6th. After this warning, those who do not attend to it must take the consequences. In this instance four poor men, who have probably got families to support, have been kept out of their pay for a quarter of a year, while working hard for the public service ; and they must be still further kept out of it, for the Commander in Chief has no power to order them to be paid ; he must first make an application to the Governor General to authorize the payment to these men of their just pay.

7th. All this arises, not from the error of the Officer commanding the 61st regiment, (if he was in error) but from the neglect of the Officer that received the four Lascars from the 61st, without ascertaining how they were to be paid while with him.

8th. The Commander in Chief hopes, that, in future, no Officer who marches with a detachment will fail first to ascertain how his men are to be subsisted. Lieutenant Colonel McLeod paid his Lascars up to the day he made them over to some Officer, and this Officer, who thus received them, was in fault, and has caused these four men to be many months without pay. The first duty of an Officer is to see that justice be done to his men.

Courts Martial.

Ensign William Henry Hankey, 38th N. I.

Tried by General Court Martial at Lucknow, 27th June 1849.

Charge.—Highly unbecoming conduct.

First. In having, at Lucknow, on or about the 28th of February 1849, retained and fraudulently appropriated to his own use, the sum of 21 Rupees, sent by Captain W. J. B. Knyvett, of the same regiment, to Lieutenant J. J. Hockley, of the 66th regiment native infantry, with a note addressed to that Officer, which money and note had been taken by mistake to him, Ensign Hankey, he being well aware at the time, that he had no such money to receive from Captain Knyvett; and secondly, in having, a few days subsequently, addressed to Captain Knyvett a receipt for the money, which he fraudulently signed "Hockly," without initials, and with some of the letters of the name written over to make it bear some resemblance to his own name, but so as to deceive Captain Knyvett into the belief that the money had duly reached its destination, and with intent so to deceive him.

Finding.—Guilty.

Sentence.—Dismissal from the service.—*Approved and confirmed.*

Recommendation.—The Court having performed a painful duty in awarding the only sentence in their estimation commensurate with the offence committed, beg to recommend the prisoner to the merciful consideration of His Excellency the Commander in Chief, as they think from his extreme youth and inexperience, he may have been unaware of the serious nature of the offence; and in the hope that clemency may have a beneficial effect on his future conduct.

Remarks.—On the 21st ultimo, I wrote some remarks on the recommendation to mercy made by a general Court Martial which tried Diaram Opediah, a Jemadar in the 2nd grenadiers. To those remarks I now refer the Officers who have recommended Ensign Hankey to mercy; a proceeding which does so little credit to the Court, that I cannot believe it to have been unanimously voted. What! pardon and turn back among the Officers of the Indian army, a man convicted of felony! On what *grounds* does the majority of this Court cast upon the Commander in Chief the pain of refusing pardon? On the grounds of *youth!* Has he not been nearly a year and a half in the army? Has he not a commission? Is he not, by the rules of the service, deemed old enough to sit, and has he not sat as an Officer in judgment, and as a Magistrate to try and punish others? Is he not old enough to be entrusted, and has he not been entrusted with the com-

mand of men? with a Subaltern's command in peace and in war? and when men's lives and safety depend upon the conduct of a Subaltern? Has not that glorious uniform, which he has disgraced by two infamous actions, sufficed, by its recognized honour, to introduce him into the best society, even into the presence of the Sovereign? And would the majority of the Court wish me to leave it on the back of such a man as the prisoner? Has he been tempted by misfortune and distress! No! He avows his wealth; he has had the education of a gentleman; his misconduct seems to be the result of innate moral turpitude! Had the prisoner been horror struck at the enormity of his guilt, avowed his crime, and cast himself, repentant and conscience smitten, upon the mercy of the Court, I could have understood the feelings of those who recommended him to mercy. But such is not the case. On the contrary, while conscious of his guilt, he deliberately adds to his crime by the effrontery, the sophistry, and the falsehood of his defence! To pardon such an offender would be an insult to the army, and I will not do it.—*Head Quarters, 9th July* 1849.

Abilock Sing, Havildar, 65th N. I.

Tried by General Court Martial at Benares, 8th June 1849.

Charge.—For having, at Benares, on the night of the 3rd of April 1849, when posted on duty at the residence of Her

Highness the Maharanee Jhunda Kour and her female attendants, being state prisoners, through great neglect and carelessness suffered one of such prisoners, named Hujjoo, to escape.

Finding.—Guilty.

Sentence.—Reduction to the ranks, and six months imprisonment.

To be revised.—I think the sentence is inadequate to the crime.

Revised Sentence.—Reduction to the ranks and imprisonment with hard labor for one year.—*Approved and confirmed.*

Recommendation.—The Court unanimously and most respectfully beg to recommend the prisoner Havildar Abilock Sing, 65th Regiment Native Infantry, to the merciful consideration of His Excellency the Commander in Chief, in consideration of his former good character.

Remarks.—In consequence of the recommendation of the Court, I will remit the hard labor.—*Head Quarters, 11th July* 1849.

Hunnooman Sing and Girwar Sing, Sepoys, 65th N. I.

By the same Court Martial.

Charge.—For having, at Benares, on the night of the 3rd April 1849, when on sentry at the residence of Her Highness Maharanee Jhunda Kour and her female attendants, being state prisoners, through great neglect and carelessness suffered one of such prisoners, named Hujjoo, to escape.

Finding.—Guilty.

Sentence.—Dismissal from the service.

To be revised.—I think the sentence is inadequate to the crime.

Revised Sentence.—Imprisonment with hard labor for one year.—*Approved and confirmed.*

Remarks.—The Court having sentenced an adequate punishment, I shall remit the hard labor in this case, for reasons which I do not choose to make public.—*Head Quarters, 11th July* 1849.

Private Henry Grove, H. M. 70th Foot.

Tried by General Court Martial at Dum-Dum, 4th July 1849.

Charges.—Absence from Defaulters' roll call; striking a Sergeant and using insubordinate language; absence from Hospital without leave.

Finding.—Guilty.

Sentence.—Fifty lashes; two years' imprisonment, and to forfeit all advantages of additional pay and of pension.—*Approved and confirmed.—Head Quarters, 18th July* 1849.

Gunner Henry Major, 2nd Brigade Horse Artillery.

Tried by General Court Martial at Umballah, 17th July 1849.

Charges.—For disobeying a Corporal and striking him with a sword.

Finding.—Guilty.

Sentence.—Imprisonment for one year, with solitary confinement for one lunar month in the 4th, 6th and 8th months.—*Approved and confirmed.*

Remarks.—I will reduce the 28 days of solitary confinement to 14 days in each of the named months,

not from any disposition to pity the prisoner, but because this is the period allotted in Her Majesty's service.—*Head Quarters*, 28*th July* 1849.

Shaick Roshun, Jemadar, 70th N. I.

Tried by General Court Martial at Peshawar, 16th July 1849.

Charge.—Conduct disgraceful to a Native Officer in stealing a gold necklace, the property of Ajeet Sing, Jemadar, of the same Regiment.

Finding.—Guilty.

Sentence.—Dismissal from the service.—*Approved and confirmed.*

Remarks.—The sentence to be carried into effect in as public a manner as this disgraceful conduct deserves.—*Head Quarters*, 28*th July* 1849.

Assistant Surgeon Edward Edlin, M. D.

At a General Court Martial assembled at Secrole, Benares, on Monday, the 16th day of July 1849, Assistant Surgeon Edward Edlin, M. D., Deputy Apothecary to the East India Company and Opium Examiner, was arraigned on the following charge:

For highly unbecoming conduct, in having, at Benares, on the 15th of May 1849, in the presence of several Gentlemen, addressed Captain C. G. Fagan, Deputy Pay Master at Benares, in highly abusive language, accusing him of "lying and cheating;" in having several times repeated the same abusive expressions, although remonstrated with by some of the Gentlemen present, and treated with great forbearance by Captain Fagan; and in having, when left by that Officer and other Gentlemen, called out to

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Captain Fagan " remember, you have been publicly insulted," or used words to that effect.

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowances, for six months.—*Approved and confirmed.—Head Quarters, 28th July* 1849.

Lieut. J. W. Eccles, 2nd European Regiment.

At a General Court Martial assembled at Lahore, on Monday, the 16th day of July 1849, Lieutenant James William Eccles, of the 2nd European Regiment, was arraigned on the following charge:

For unbecoming conduct, in having, at Lahore, on the 9th day of May 1849, without having received any provocation, struck Shaick Furreed, in the employ of Nubbeebux and Company, Native Merchants, a violent blow on the face.

Finding.—Guilty.

Sentence.—To be reprimanded in such manner as His Excellency the Commander in Chief may be pleased to direct.—*Confirmed.*

Remarks.—I consider that Lieutenant Eccles has had a very weak defence, so weak that it amounts to none at all, and he is sentenced to be reprimanded. He is therefore reprimanded accordingly and admonished not to break the peace in future.—*Head Quarters, 28th July* 1849.

Lieut. F. V. DeMolé, 2nd European Regiment.

Before the same Court Martial, on Thursday, the 19th day of July 1849, Lieutenant Frederick Valentine DeMolé, of the 2nd European Regiment, was arraigned on the following charge:

For highly unbecoming conduct, in the following instances:

1st. In having, at Lahore, on the 9th of May 1849, without having received any provocation, repeatedly struck with a whip and with his clenched fist, Nubbeebux, Native Merchant.

2nd. In having, on the same occasion, without any provocation, struck with a whip Gungapersaud and Nuzzeera, servants of Nubbeebux and Company, Native Merchants.

Finding.—The Court is of opinion, that the prisoner, Lieutenant Frederick Valentine DeMolé, of the 2nd European Regiment, is, on the

1st instance of the charge, guilty, in having struck as charged, the person commonly called "Nubbeebux," but whose proper name is "Ghoolam Moortuza;" on the

2nd instance of the charge, guilty, with exception of the words "and Nuzzeera," of which the Court acquit him; and the Court is of opinion, that the blow inflicted on Gungapersaud was unintentional.

And the Court is further of opinion, that the prisoner is guilty of the preamble of the charge.

Sentence.—Suspension from rank, pay and allowances for a period of three calendar months.—*Approved and confirmed.—Head Quarters, 28th July* 1849.

Lieut. R. B. Norton, 35th N. I.

At a General Court Martial held at Barrackpore, on Monday, the 16th day of July 1849, Lieutenant Robert Bruce Norton, of the 35th Regiment Native Light Infantry, was arraigned on the following charges; viz.

1st. For having, at Barrackpore, on the night of the 9th April 1849, when on duty as Regimental Officer of the

day, absented himself from his quarters without leave, and without reporting the circumstance, and remained away all night and until the afternoon of the following day, having proceeded to Calcutta during this interval without permission, and in gross neglect of his duty.

2nd. For having failed to attend the parade of the Regiment at Barrackpore on the morning of the 10th of April 1849, at which it was his duty to have been present.

3rd. For having, at Barrackpore, on the morning of the 10th of April 1849, failed to furnish his report, which it was his duty to have done as relieved Officer of the day; and for not having furnished the report till called on for an explanation of his neglect, by order of the Commanding Officer, on the evening of the same day.

4th. For having, at Barrackpore, on the evening of the 10th of April 1849, when furnishing the said report as relieved Officer of the day, sent in with it a letter written and signed for him, and with his approval, by a brother Officer, addressed to the Adjutant of the Regiment, in which his absence from the morning parade on that day was falsely stated to have been caused by his having overslept himself; he, Lieutenant Norton, well knowing that his absence from parade was occasioned by his having left his quarters the preceding night, and proceeded to Calcutta without permission and in neglect of his duty.

Finding.—The Court, upon the evidence before them, are of opinion, that the prisoner Lieutenant Robert Bruce Norton, of the 35th Regiment Native Light Infantry, is,

On the 1st charge, guilty,

On the 2nd charge, guilty,

On the 3rd charge, guilty, and

On the 4th charge, guilty of so much of the charge as accuses him of having, at Barrackpore, on the evening of

the 10th April 1849, when furnishing the said report as relieved Officer of the day, sent in with it a letter written and signed for him, and with his approval, by a brother Officer, addressed to the Adjutant of the Regiment, in which his absence from the morning parade on that day was stated to have been caused by his having overslept himself; but the Court are of opinion, that the statement in that letter of his having overslept himself was not false, and do therefore acquit him of that and of the remainder of the charge.

Sentence.—The Court sentence the prisoner Lieutenant Robert Bruce Norton, of the 35th Regiment Native Light Infantry, to be publicly and severely reprimanded.—*Confirmed.*

Remarks.—I approve of the "*finding*," but regret that I cannot approve of the sentence of the Court, which I consider too lenient for so grave a military crime, committed by an Officer of ten years' standing in the service!

The Brigadier Commanding at Barrackpore is to read, or cause to be read, first, the proceedings of the Court, and then the following reprimand to Lieutenant Norton, in the presence of the President and Members of the Court, and of all the Officers of the Staff and Cantonments of Barrackpore.

LIEUTENANT NORTON.—You have been tried, and sentenced to be publicly and severely reprimanded. I believe that the severest reprimand to an honorable man, is to point out to him the magnitude of his offence. Your's has been that of quitting your post when on duty, a crime for which you might be cashiered. The Officer of the day has charge of

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his Regimental lines; he ought to be present at all parades, at all roll calls, and, in Queen's Regiments, at all issues of provisions or stores; he is placed on duty to be ready also in case of fire or any other accident that may disturb the tranquillity of the lines; to see all orders obeyed; and should any disturbance arise the Officer of the day should at once repair to the spot and be ready to take prompt measures for its suppression; in short, his duty is to watch his lines or camp by day and by night. This is his duty in all armies! Yet you, Sir, made no scruple to take your pay from the public Treasury for the honest execution of this duty! On the day when you abandoned your post, and went off to amuse yourself at Calcutta, you received a certain amount of Rupees in pay and allowances. This money you took from the East India Company, many of whom are poor and suffering people; and you did not do the duty for which you were paid by those poor people. But this was not the full extent of your crime; you set the example of abandoning your post to the Soldiers whom you command, and if any one of these men followed your example, you would be obliged to report and bring that man to trial, with what feelings on your part I cannot say, but I know what the feelings of the man and all his comrades would be, namely, those of contempt and disgust towards their Officer! Sir, I believe you to be a brave and honorable man, and I trust that such conduct will not happen again; but it is my disagreeable duty to place this truth before you in plain language, for I will not allow the discipline of the Indian army to be broken with impunity: the lesson may be rude, but it is necessary. The rigid performance of regimental duty is no less a matter of honesty and honor, than the more brilliant and dangerous one of fighting an enemy. Now return, Sir, to your duty, and let your future attention

to that duty become as conspicuous as your bravery was on the field of battle!—*Head Quarters, 2nd August* 1849.

Gunner W. Brown, 2nd Brigade Horse Artillery.

Tried by General Court Martial at Umballah, 14th August 1849.

Charge.—Striking and kicking a Sergeant.

Finding.—Guilty.

Sentence.—Imprisonment for two years, with solitary confinement for 14 days in the 2nd, 4th, 6th, 8th, 10th and 12th months of each year.—*Confirmed.*

Remarks.—I cannot approve of the sentence, which I consider to be too lenient for a mutineer of this description.—*Head Quarters, 20th August* 1849.

Private Bartholomew Buckley, 1st European Bengal Fusiliers.

Tried by General Court Martial at Cawnpore, 10th August 1849.

Charges.—1st. For having, at Cawnpore, on the 7th of July 1849, when on duty at the barrack guard of No. 3 Company, quitted his guard without leave.

2nd. For having, at Cawnpore, on the 8th of July 1849, when a prisoner in the quarter guard of the Regiment, endeavoured to persuade Private Evoy, of the same Regiment, not to submit to the sentence awarded him by a district Court Martial, and in having, at the same time and place, insubordinately disregarded the order of his superior Officer, Sergeant Thomas Shaw, in the execution of his office, who desired him, Private Buckley, to be silent, and not to interfere.

3rd. For having, at Cawnpore, on the 9th of July 1849, at the orderly room of the Regiment, behaved with great disrespect to his commanding Officer, Lieutenant Colonel D. Birrell, in having positively refused to salute him, although repeatedly ordered to do so.

Finding.—Guilty.

Sentence.—Imprisonment for one year with solitary confinement for a lunar month in the 3rd, 5th, and 7th months.—*Approved and confirmed.*

Remarks.—1st. I limit each portion of solitary confinement to fourteen days, in lieu of twenty-eight days.

2nd. A Court Martial should not call upon an Adjutant for the character of a prisoner, when there are Officers of his company, which Officers ought to know the characters of their men better than the Adjutant.—*Head Quarters, 19th August* 1849.

Private Rees Griffiths, 1st European Bengal Fusiliers.

Tried by General Court Martial at Cawnpore, 15th August 1849.

Charge.—Throwing a tin pot at and using indecent and abusive language to a Sergeant Major.

Finding.—Guilty.

Sentence.—Imprisonment for one year with solitary confinement for the first 14 days in the 2nd, 4th, 6th, 8th, 10th and 12th months.—*Confirmed.*

Remarks.—1st. I cannot "*approve*" of the sentence, which I hold to be too lenient for unprovoked mutiny.

2nd. It surprizes me to see that a Court, which I am sure sought in every way to do justice to the *prisoner*, should apply to the *prosecutor* for that prisoner's character ! The Adjutant is not the proper person for a Court to call upon for the character of a prisoner at *any* time ; but certainly not when he is *prosecutor*. The proper person to give the character of a prisoner is the Officer of his company.—*Head Quarters*, 22*nd August* 1849.

Sheobuksh, Camp Follower.

Tried by General Court Martial at Neemuch, 3rd August 1849.

Charges.—Stealing Opium and receiving stolen Opium.

Finding.—Guilty on two of three charges.

Sentence.—Imprisonment with hard labor for two years.—*Approved and confirmed.*

Recommendation by the Court.—The Court beg respectfully to bring to the notice, and lenient consideration of His Excellency the Commander in Chief, the length of time the prisoner has unavoidably suffered confinement previous to trial.

Remarks.—I pardon the prisoner in consideration of the recommendation of the Court, and because the boy seems to have been in the hands of a set of knaves.—*Head Quarters*, 22*nd August* 1849.

Sergeant Major C. Johnson, Garrison Sergeant Major, Chunar.

Tried by General Court Martial at Secrole, Benares, 17th August 1849.

Charge.—With gross neglect of duty, in having, at Chunar, between the 5th and 18th of April 1849, permitted two Native women, said to be attendants on the Maharanee Jhunda Kour, a state prisoner in that fortress, to pass daily in and out by the outer gate of the state prison, without having obtained orders from his superior officers regarding them, and without reporting to his superior officers the entrance or egress of these women on any occasion during that period.

Finding.—Guilty, with the exception of the word "daily."

Sentence.—Reduction to the ranks.—*Approved and confirmed.*

Recommendation.—In consideration of the previous admirable character held by the prisoner, and his long service, the Court unanimously beg to recommend him strongly to the merciful consideration of His Excellency the Commander in Chief.

Remarks by His Excellency the Commander in Chief.—In consideration of the recommendation of the Court, of the long service, and good character of the prisoner, upon which the recommendation is justly founded, and also in consideration of the careless and most unsatisfactory way in which the state prisoner appears to have been confined, I pardon the prisoner.—*Head Quarters, 22nd August* 1849.

Sergeant G. Hind, Invalid Establishment.

Tried by the above Court Martial, 18th August 1849.

Charge.—With gross neglect of duty, in having, at Chunar, on the evening of the 18th April 1849, permitted two

Native women, said to be attendants on the Maharanee Jhunda Kour, a state prisoner in that fortress, to pass out of the state prison, without having obtained any orders from his superior officers regarding them, and without reporting the circumstance to his superior officer.

Finding.—Not guilty.—*Approved and confirmed.*—*Head Quarters, 29th August* 1849.

Sewchurn Opudhia, Havildar, 65th N. I.

Tried by General Court Martial at Benares, 6th August 1849.

Charges.—1st. For having, at Chunar, on the 6th April 1849, when on duty as one of the guard at the apartments in which the Maharanee Jhunda Kour, a state prisoner, was confined, and when in charge of the keys of those apartments, in gross neglect of duty, and in disobedience of orders, suffered a female, assuming to be an attendant on Her Highness, to pass out of the said apartments, and from the precincts of the state prison, and further continued daily to allow a female, being either the same, or in similar guise, to enter and quit the said apartments, until the 18th April 1849.

2nd. For having failed to report to any of his superior officers, from the 6th to the 21st April 1849, that a female had been allowed by him to go in and out of the state prison daily between the 6th and 18th April 1849.

Finding.—Guilty.

Sentence.—Reduction to the ranks, with imprisonment and hard labor for one year.—*Approved and confirmed.*

Recommendation of the Court.—The Court unanimously and respectfully beg to recommend the prisoner to the consideration of His Excellency the Commander in Chief, on account of his former very good character.

Remarks by His Excellency the Commander in Chief.—I remit the sentence passed on the prisoner for the same reasons which have induced me to pardon Sergeant Major Johnson.—*Head Quarters, 30th August* 1849.

Kullunder Buksh and Goolam Allie, Sowars, 12th Irregular Cavalry.

Tried by General Court Martial at Rawul Pindee, 24th and 25th August 1849.

Charge.—Desertion from the camp at Goojerat.

Finding.—Guilty.

Sentence.—Imprisonment with hard labor for ten years.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—The Officer of the prisoner's troop should have been called upon for the character of the culprit, and not the Adjutant. This remark applies equally to all troop or company Officers, European or Native.—*Head Quarters, 1st September* 1849.

Jerbundhun Singh, Sepoy, 61st N. I.

Tried by General Court Martial at Lahore, 14th August 1849.

Charges.—1st. For having, at Govindgurh, on the 26th June 1849, repeatedly struck, with a drawn sword, his superior Officer Muntah Singh, Havildar, of the same Regiment, being on duty, and severely wounded him on the head, neck, left arm and left hand.

2nd. For having, at the same time and place, struck with a drawn sword, his superior Officer Ramdehul Pattuck,

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Havildar, of the same Regiment, being on duty, and wounded him on the back.

3rd. For disgraceful conduct, in having, at the same time and place, cruelly assaulted Ally Buksh Khan, Sepoy, of the same Regiment, and struck him with a sword, thereby severely wounding him on the face.

Finding.—1*st Charge*, Guilty, 2nd, Not Guilty, 3rd, Guilty.

Sentence.—Imprisonment with hard labor for ten years.

By the Commander in Chief.—The sentence bears no proportion to the crime, which is that of attempting to murder three men. There is no evidence to warrant the Court acquitting the prisoner of the 2nd charge.

Revised Finding.—1st *Charge*, Guilty, 2nd, Guilty, with the exception of the words "and wounded him on the back," 3rd, Guilty.

Revised Sentence.—Death by hanging.—*Approved and confirmed.*

Recommendation of the Court.—No actual loss of life having arisen out of the prisoner's misconduct, the Court, on that ground, beg leave unanimously to recommend him to the merciful consideration of His Excellency the Commander in Chief.

Remarks by His Excellency the Commander in Chief.—In consequence of the recommendation of the Court, I will commute the sentence of death into that of imprisonment for life with hard labor; and I hope that this punishment will have a sufficient effect in sustaining discipline. Long years of imprisonment, till death puts an end to the cri-

minal's miseries, is a terrible fate! Let the bad Soldier of the Indian Armies consider of it. To the good Soldier no caution is required.

It is in this hope, that the awful sentence of perpetual imprisonment will have a just and sufficient effect, without the necessity of inflicting capital punishment, that I am induced to spare the life of this criminal, and not altogether on the grounds which have induced the Court to recommend him to mercy, namely, that no "*loss of life has arisen out of the prisoner's misconduct.*" No loss of life has arisen, it is true, but the breach of discipline has been the same, though the culprit did not add the crime of murder to the crime of mutiny.

The prisoner is to be transported beyond Sea for life, there to undergo his imprisonment.—*Head Quarters, 7th September* 1849.

Second Lieutenant H. R. Farnden, H. M. 60th Royal Rifles.

Tried by General Court Martial at Kurrachee, 14th May 1849.

Charges.—1st, Breaking arrest; 2nd, Publicly and familiarly associating with non-commissioned officers and privates.

Finding.—Guilty.

Sentence.—To be cashiered.—*Approved and confirmed.*—*Head Quarters, 23rd June* 1849.

Lieutenant George John Ashton, H. M. 53rd Foot.

Tried by General Court Martial at Ruwal Pindee, 14th August 1849.

Charge.—Scandalous conduct. 1st, in having been in a state of intoxication in quarters. 2nd, in having on the same occasion violently assaulted and repeatedly struck Lieutenant W. H. Grubbe, H. M. 53rd Foot.

Finding.—Guilty.

Sentence.—To be dismissed the service.—*Approved and confirmed.*

Recommendation.—The Court beg leave to recommend the prisoner Lieutenant George John Ashton, of Her Majesty's 53rd Regiment of Foot, to the merciful consideration of His Excellency the Commander in Chief.

Remarks by His Excellency the Commander in Chief.—There are few things that are more painful than to refuse mercy, but it is my duty to support discipline in the vast Army of India, and discipline cannot be upheld if Officers, who are, by Law, the Judges that try Private Soldiers, for drunkenness, set an example of the crime! This Lieutenant Ashton has done; and though it is by far the worst part of the delinquent's conduct, it is not all. The being intoxicated after dinner, however unbecoming and disgraceful it is to the character of a well-bred gentleman, may still have the pretext of conviviality for a thoughtless, but culpable, excess in a young man. This, however, is not the crime of the prisoner. His has been deliberate drunkenness ; a glaring disregard of

decency in the broad face of day; an act destructive to all society, all discipline, all moral feelings, and calculated to make the uniform of a British Officer a bye-word and a shame!

The Court has recommended Lieutenant Ashton to mercy, but it has offered no reason for this recommendation. The above are mine for refusing a recommendation which has no apparent foundation; and therefore, while it adds much to the pain of performing a distressing duty, cannot divert me from the paramount object of a Commander in Chief; namely, that of supporting the integrity of Military discipline and the high character of British Officers. I will not pardon Lieutenant Ashton.—*Head Quarters, 30th August* 1849.

Lieutenant H. F. H. Parker, H. M. 53rd Foot.

Tried by the same Court Martial, 18th August 1849.

Charge.—Highly unbecoming conduct, in having on two occasions used grossly offensive and insulting language to Assistant Surgeon G. K. Hardie, M. D., of the same Regiment, and refusing to apologise for it.

Finding.—Guilty.

Sentence.—Dismissal from the service.—*Approved and confirmed.—Head Quarters, 30th August* 1849.

Private James O'Neil, H. M. 61st Foot.

Tried by General Court Martial at Peshawur, 20th August 1849.

Charge.—Having had in his possession and secreted about his person a mould for making counterfeit rupees.

Finding.—Guilty.

Sentence.—Imprisonment for two years.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—Though the crime is great and the sentence just, it is a very heavy punishment, and in consideration of the great heat of the climate, I remit one (1) year of the imprisonment.—*Head Quarters, 29th August* 1849.

Private Michael Kelly, H. M. 61st Foot.

Tried by the same Court Martial, on the same day.

Charges.—1st. Desertion; 2nd, Having taken away a musket and brought it back in an unserviceable state, and having lost or made away with regimental appointments and necessaries.

Finding.—1st Charge, Guilty; 2nd Charge, Guilty as to the musket only.

Sentence.—Transportation for seven years.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—The prisoner carried away many articles of necessaries as well as his musket, and he came back without these necessaries. I cannot understand why the Court should limit the finding of "Guilty" on this 2nd charge to taking away his musket only? The Court should, in my opinion, have convicted him fully on that charge.

Where the prisoner was taken, and if by force, and other evident matters ought to have been investigated, because the want of this investigation gives some degree of plausibility to the defence.—*Head Quarters, 29th August* 1849.

Captain John Turton, 3rd N. I.

Tried by General Court Martial at Jullunder, 29th August 1849.

Charge.—For having, on the 20th April 1849, quitted his Regiment, in camp, at Boodee-kot, without leave and in direct disregard of his commanding Officer's orders, and proceeded to Hosheyarpore.

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowances for three months.—*Confirmed.—Head Quarters, 6th September* 1849.

Private Benjamin Alexander Mossman, 1st Bombay European Regiment.

Tried by General Court Martial in camp near Peshawur, 2nd July 1849.

Charge.—Murder of Private John Bethune, same regiment, by shooting him.

Finding.—Guilty.

Sentence.—Death by hanging.—*Approved and confirmed.—Head Quarters, 8th September* 1849.

Regulating Leave of Absence.

HEAD QUARTERS, SIMLA, 26TH JUNE 1849.

1. Many applications for leave of absence have been made to the Commander in Chief, which ap-

plications are grounded upon former General Orders. These General Orders are hereby cancelled. The Commander in Chief does not wish to refuse a fair portion of leave of absence, when it can be granted without detriment to the service, but the conquest of a large country is not concluded by the battle which wins it ; the army must remain alert in its cantonments to support the Civil Authorities till the conquered country be settled.

This is the present position of the Queen's and Company's armies in India, and the Commander in Chief will not grant leaves of absence to Officers, except on special occasions, supported by cogent reasons. Officers must remain at their posts with their non-commissioned Officers and Private Soldiers. No Regiment has an Officer to spare, but on the contrary they have all of them too few ; and the duties of those few must not be increased by leave of absence lightly conceded : therefore,

2nd. Commanders of Divisions, Brigades, and Regiments, are requested not to apply for leave of absence for any one under their command, without forwarding publicly or confidentially the special reasons which induce them to sanction such applications for leave.

3rd. Any Officer in command allowing an applicant for leave to quit his post in anticipation of such application being granted, does so at his own

no small responsibility; the sickness of an Officer, non-commissioned Officer or Private Soldier, or of any one belonging to them, is of course an exception to this order, the object of which is to support discipline, not to produce or increase individual afflictions.

Regimental and Company Commands.

HEAD QUARTERS, SIMLA, 19TH SEPTEMBER 1849.

His Excellency the Commander in Chief is pleased to direct, that the General Orders quoted in the margin, by which it is provided, that "commanding Officers present with their corps, but "incapable, from sickness, of conducting the duties "of command, will, in the event of such sickness "being prolonged beyond the period of one month, "be directed to deliver over charge of the Regiment "to the next senior Officer present, to whom the command allowance will be passed," shall be extended to Officers commanding companies, who, in like manner, are to be directed by the Officer commanding the Regiment to deliver over charge to the Officer next entitled to a company, and who will likewise be entitled to the allowances going with such a charge.

G. O. G. G. 5th September and G. G. O. No. 186, 2nd October 1834.

Uniform of 1st European Bengal Fusiliers.

HEAD QUARTERS, SIMLA, 27TH SEPTEMBER 1849.

His Excellency the Commander in Chief considering it highly desirable that a plainer style of

dress than the very expensive uniform at present worn by the Officers of the 1st European Bengal Fusiliers, should henceforth be adopted, is pleased, with the sanction of the Most Noble the Governor General of India, to authorize the *gradual* introduction into that corps of the uniform prescribed for Fusilier Regiments in Her Majesty's service.

Courts Martial.

Private William Thompson, H. M. 80th Foot.

Tried by General Court Martial at Dinapore, 8th September 1849.

Charges.—1st. For having, at Dinapore, on the 30th July 1849, wantonly destroyed a musket issued to him for the public service.

2nd. For having, at Dinapore, on the 2nd of August 1849, made use of grossly mutinous language to Major R. A. Lockhart, Her Majesty's 80th Regiment, President of a district Court Martial, before which the prisoner was being tried, calling him "a damned swindler," "a hangman looking rascal," and using other abusive words to that Officer.

3rd. For having, at the time and place last stated, made use of grossly mutinous language to Lieutenant G. Bodle, Adjutant of Her Majesty's 80th Regiment, in the execution of his office, repeatedly calling him "a damned scoundrel," or using words to that effect.

4th. For having, at the same time and place offered violence against the President and Members of the district Court Martial, his superior Officers, being in the execution of their office; he having assumed a threatening attitude towards them, using at the same time violent language, and

having been prevented committing actual violence against them, only by being seized before his purpose was effected and forcibly placed in irons.

Finding.—Guilty.

Sentence.—Transportation for life.—*Approved and confirmed.*—*Head Quarters, 24th September* 1849.

Private James Smyth, 1st European Bengal Fusiliers.

Tried by General Court Martial at Agra, 6th September 1849.

Charge.—Theft of Rupees 740 belonging to Officers and men of the Regiment.

Finding.—Guilty.

Sentence.—Imprisonment for two years, with solitary confinement for 28 days in the 3rd, 6th and 10th months of each year.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—In the sentence the periods of twenty-eight days of solitary confinement are to be reduced to periods of fourteen days.—*Head Quarters, 26th September* 1849.

Private Robert Jamieson, 1st European Bengal Fusiliers.

Tried by the same Court Martial, 8th September 1849.

Charge.—As in the last case.

Finding.—Guilty.

Sentence.—Imprisonment for two years, with solitary confinement for 28 days in the 2nd, 5th and 8th months of each year; and to forfeit all advantage as to increase of pay or as to pension on discharge.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—In the sentence the periods of twenty-eight days of solitary confinement are to be reduced to periods of fourteen days.—*Head Quarters, 26th September* 1849.

Privates Michael O'Brien and John Bloomfield, 1st European Bengal Fusiliers.

Tried by the same Court Martial, 10th September 1849.

Charge.—Receiving and possessing sums of money knowing them to be stolen.

Finding.—Not Guilty.—*Approved and confirmed.—Head Quarters, 26th September* 1849.

Ensign Melchior Henry Coombe, 45th N. I.

Tried by General Court Martial at Umballah, 26th September 1849.

Charges.—1st. For having, at Umballah, on the 22nd of August 1849, been drunk when on duty as Regimental Officer of the day.

2nd. For having, at the same place, on the same day, neglected to march off the guards in the morning, and to visit the guards in the evening.

3rd. For having, at the same place, on the following day, sent in for the information of his commanding Officer, a false return of the number of men in hospital and on regimental duty on the 22nd of August 1849; the said return deviating in several respects from the established form, stating a parole different from the one given by authority of his commanding Officer on that day, and signed by Ensign Coombe, in the assumed rank of Lieutenant.

Finding.—Guilty.

Sentence.—To be cashiered.—*Approved and confirmed.*—*Head Quarters, 3rd October* 1849.

Private Richard Oakley, H. M. 3rd Light Dragoons.

Tried by General Court Martial at Umballah, 29th September 1849.

Charges.—Drunkenness, violent conduct, and abusive language.

Finding.—Guilty.

Sentence.—Imprisonment for one year with solitary confinement for the first 14 days of the 2nd, 3rd, 4th, 5th and 6th months, and for the last 14 days of the 12th month.—*Approved and confirmed.—Head Quarters, Simla, 3rd October* 1849.

Private James Murphy, H. M. 10th Foot.

Tried by General Court Martial at Ferozepore, 19th September 1849.

Charge.—For insubordinate and outrageous conduct, in the following instances:

1st. In having, in his barrack room at Ferozepore, on or about the 4th August 1849, stabbed with his bayonet, No. $1530\frac{53}{778}$, Private John Mahon, of the grenadier company, Her Majesty's 10th Regiment, thereby inflicting a wound on his arm.

2nd. In having at Ferozepore, on or about the 7th August 1849, when a prisoner in the orderly room of the corps, and undergoing an investigation of the 1st instance of the charge, most unprovokedly and wantonly struck with his clenched fist Sergeant Major Michael O'Donnell, his superior Officer, when in the execution of his office.

Finding.—Guilty.

Sentence.—Imprisonment for two years, with solitary confinement for the last 14 days of the 2nd, 4th, 6th, 8th, 10th and 12th months of each year.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—Men have been shot for less heinous military crimes.—*Head Quarters, 3rd October* 1849.

Private Dennis Murphy, 1st European Bengal Fusiliers.

Tried by General Court Martial at Agra, 12th September 1849.

Charge.—Wounding Private Dennis Shea, with a knife, with intent to murder.

Finding.—Guilty.

Sentence.—Death by hanging.—*Approved and confirmed.—Head Quarters, 26th September* 1849.

Gunner James Fitzpatrick, 3rd Company 4th Battalion Artillery.

Tried by General Court Martial at Umballah, 2nd October 1849.

Charge.—Desertion from camp at Jugraon.

Finding.—Guilty.

Sentence.—Transportation for seven years, and branding with the letter D. in the usual manner.—*Approved and confirmed.—Head Quarters, 10th October* 1849.

Sepoy Jalim Sing, 31st N. I.

Tried by General Court Martial at Peshawur, 1st October 1849.

Charge.—Breaking open a box and abstracting therefrom Rupees 404, the property of the State.

Finding.—Guilty.

Sentence.—Imprisonment with hard labor for 12 years.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I remit six years of this culprit's sentence.—*Head Quarters, 10th October* 1849.

Private Hezekiah Goodsell, H. M. 3rd Light Dragoons.

Tried by General Court Martial at Umballah, 1st October 1849.

Charges.—1st, Absence from guard mounting, parade and for seventy-four hours without leave; 2nd, Having lost or made away with regimental clothing and necessaries; 3rd, Striking a Sergeant.

Finding.—Guilty.

Sentence.—Fifty lashes, two years' imprisonment, and to be placed under stoppages for the articles mentioned in the 2nd Charge.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I do not understand how Corporal Mathew Derby was 75 hours on duty. Orderlies ought to be relieved *daily*. I request that the commanding Officer will be so good as to explain this in a letter to the Adjutant General, Queen's Troops.—*Head Quarters, 10th October* 1849.

Major Thomas Cooke, 17th N. I.

At a General Court Martial assembled at Lahore, on Friday, the 28th day of September 1849, Major Thomas Cooke, of the 17th Regiment Native Infantry, was arraigned on the following charges:

First. For unofficer-like conduct, especially unbecoming an Officer commanding a Regiment, in having, at Jugraon and at Mullickpore, in the months of February and March 1849, played at chess and at cards with Captain L. G. DaCosta, of the 58th Regiment Native Infantry, for large stakes and bets, in the course of which play he lost to Captain DaCosta the sum of twenty-six thousand Rupees, or thereabouts; such conduct being in direct disobedience of repeated General Orders prohibiting gambling in the Army, viz., General Orders by the Commander in Chief, dated respectively the 25th of September 1820, the 16th of August 1831, and the 26th of June 1845.

Second. For conduct unbecoming an Officer and a Gentleman, in having, at Mullickpore, about 17th March 1849, and at Lahore, about 21st April and 21st May 1849, tried to evade the payment of the large sum he had lost to Captain DaCosta, by endeavouring to induce him to accept a much smaller amount on various pretences; by offering Captain DaCosta, whatever money he, Major Cooke, might win at Simla in the present year; and by declaring that he could never pay the whole sum he had lost; and in having further demurred to pay on account of certain calumnious reports to the prejudice of Captain DaCosta's character, which he, Major Cooke, had spread about; for spreading which he afterwards, about the 23rd of May 1849, apologized to Captain DaCosta.

Third. For conduct unbecoming an Officer and a Gentleman, in having, in a letter addressed to the Major of Brigade at Lahore, dated Lahore, the 21st of July 1849, given inaccurate statements of the transactions between himself and Captain DaCosta, in the following instances:

1st. In having, in the said letter, made a false statement in the following words: "Merely as an amusement we did

"play together at chess and at cards for one Rupee per "game; that afterwards, when under excitement, some "large bets were made, ending in my having lost 26,000 "Rupees, this being a larger sum than I could immediately "command, I requested Captain DaCosta to wait till I "could draw the money from England, when the debt "should be paid, but he replied that he would prefer half "paid down, and it ended by my giving a bill for 10,000 "Rupees, a buggy and horse, and cash, equalling together "13,000 Rupees," whereas, in truth, the parties played for large stakes, besides making large bets, and Captain DaCosta did not state he would prefer half paid down, neither was any prompt payment either offered or agreed to in respect of the greater part of the amount; but he was induced to agree to the specified arrangement by Major Cooke declaring on his honor, that he would never be able to pay more of the debt he had incurred than the said sum of thirteen thousand Rupees, and further induced thereto by Major Cooke retracting and apologizing for the calumnious reports he had spread about regarding him.

2nd. In having, in the said letter, disingenuously and falsely stated as follows: "He (Captain DaCosta) then con- "sidered his character injured by me, and applied to his "commanding Officer, who applied to me, and expressed "himself in writing perfectly satisfied, but Captain DaCosta "was not so, and referred the case to Brigadier Godby, but "subsequently recalled the reference of his own accord;" thereby insinuating, that Captain DaCosta had no ground for making that complaint, whereas he, Major Cooke, had injured the character of Captain DaCosta, and the commanding Officer of the 58th Native Infantry did not express himself satisfied till Major Cooke had expressed his regret, while Captain DaCosta, who still pressed his complaint upon

the attention of superior authority, was at length induced to withdraw it solely by Major Cooke's subsequent retraction of all that he had said to the prejudice of Captain DaCosta, and making an apology for it.

Finding.—The Court, from the evidence before them, is of opinion, that the prisoner Major Thomas Cooke, of the 17th Regiment Native Infantry, is, on the

1st charge, guilty.

2nd charge, guilty; and guilty of the preamble to the 2nd charge.

3rd charge, 1st instance, not guilty, and acquit him.

2nd instance, guilty; and guilty of the preamble of the 3rd charge.

Sentence.—The Court sentence the prisoner Major Thomas Cooke, of the 17th Regiment Native Infantry, to be dismissed from the service.—*Confirmed.*—*Head Quarters, Simla, 17th October* 1849.

Remarks by His Excellency the Commander in Chief.—I cannot approve of the finding of acquittal on the 1st instance of the 3rd charge, which appears to me to be sufficiently proved.

Recommendation of the Court.—The Court beg to recommend the prisoner to the merciful consideration of His Excellency the Commander in Chief on the following grounds:

1st. Because the prisoner showed a disposition to pay, as evinced by his attempt to borrow from 18 to 20,000 Rupees from the North-Western Bank Agency on 21st April 1849.

2nd. Because he did not originate the reports against Captain DaCosta.

3rd. On account of the excellent character Major Cooke has hitherto borne, as shown by the handsome testimonials which have been placed before the Court.

Remarks by His Excellency the Commander in Chief.—It is with pain that I express my inability to discover any just grounds for disturbing the sentence pronounced by the Court.—*Head Quarters, Simla, 17th October* 1849.

The Destination of Regiments.

ADJUTANT GENERAL'S OFFICE, SIMLA, 8TH NOVEMBER 1849.

His Excellency the Commander in Chief has received the most extraordinary letters from Officers commanding corps, both regular and irregular, praying to have the destination of their Regiments changed. The Commander in Chief begs to inform these Gentlemen, that the troops are moved to suit the public convenience, and not the convenience of individuals, and he desires that such an unsoldier-like and disorderly practice may not again take place to the disgrace of military discipline. The Commander in Chief seldom, intentionally, leaves any one's letter unanswered, but he will not in future reply to letters of such a nature as these ; for this once he assures these Gentlemen that not one of their unmilitary requests shall be complied with.

Courts Martial.

First Lieutenant T. W. Pulman, Artillery.

At a General Court Martial re-assembled at Lahore, on the 18th day of October 1849, 1st Lieutenant Thomas

Walter Pulman, of the Regiment of Artillery, was arraigned on the following charges:

First charge.—For conduct disgraceful to an Officer and a Gentleman, in the following instances:

1st. In having, at Lahore, on the 5th April 1849, before the Military Court of Requests there held, attempted to defraud Adam Ali, Native Merchant of Lahore, of his just claim against him, by deposing on his oath, that the signature to a voucher produced in support of the said claim was not his, although he well knew that his signature had been affixed thereto with his consent on or about the 21st December 1848, by Lieutenant J. G. Batten, of the 37th Regiment Native Infantry; and in further falsely deposing on his oath, that he had never received the articles charged to him in the said claim of Adam Ali, and that he had no knowledge of the debt.

2nd. In having, on the same occasion, and at the same place, attempted to defraud Cashmeeree Loll, Native Merchant of Lahore, of his just claim against him, by falsely declaring that he had never heard of, or employed, any such person as Cashmeeree Loll; and in having further falsely denied having received some of the articles charged to him in the claim of the said Cashmeeree Loll.

3rd. In having, at the same time and place, in behalf of Lieutenant J. G. Batten, of the 37th Regiment Native Infantry, a defendant in an action before the said Court of Requests, at the suit of Emambux and Company, Native Merchants of Lahore, for soda water furnished on the 21st of September 1849 to him, Lieutenant Batten, voluntarily stated that he would swear that the initials J. G. B. to a voucher for the soda water were not signed by Lieutenant Batten, the object of Lieutenant Pulman in so doing, being

to assist in defrauding the said Emambux and Company of their just claim against Lieutenant Batten.

Second charge.—For having, at Lahore, on the 5th of April 1849, appeared before the Military Court of Requests there held, in a shameful state of intoxication.

Finding.—The Court is of opinion that the prisoner Lieutenant Thomas Walter Pulman, of the Regiment of Artillery, is, on the 1st charge,

1st instance, guilty.

2nd instance, guilty of having "falsely denied having received some of the articles charged to him in the claim of the said Cashmeeree Loll." Not guilty of the remainder, and acquits him thereof.

3rd instance, not guilty, and acquits him thereof.

Of the preamble of the 1st charge, guilty.

On the 2d charge, not guilty, and acquits him thereof.

Sentence.—The Court sentence the prisoner Lieutenant Thomas Walter Pulman, of the Regiment of Artillery, to be dismissed from the service.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I never confirmed the sentence of a Court Martial that gave me more pain than I feel in confirming this, which dismisses from the service a young man, of whose abilities I had formed a high opinion, when (some years ago) he served under my command in the field ! The service has lost a clever Officer, an honorable family is thrown into deep affliction, and a young man of great promise is utterly ruined in his profession by a vice which has ruined three others since my arrival in India ! It is therefore impossible for me not

to call upon all who have common sense, resolution and respect for their uniform, to join in the endeavour which I am making to repress those destructive vices which are so unfortunately prevalent in the European portion of the armies in India—*drunkenness* and *gambling*.

Courts Martial are ready to show all practicable mercy to a prisoner ; but they will not, and cannot sacrifice the honor of the military profession to indulgent feelings for an individual, and so cause the ruin of numbers !

Their sentences shall be carried into effect !—*Head Quarters, Secundra, 2nd November* 1849.

Captain Hugh Mackenzie, 2nd European Regiment.

Tried by General Court Martial at Lahore, 29th October 1849.

Charge.—For highly unbecoming conduct, in having, in a letter to the address of Lieutenant Colonel Grant, C. B., Adjutant General of the Army, dated Lahore, the 30th of June 1849, falsely and recklessly imputed to Major G. R. Talbot, of the 2nd European Regiment, cowardice and misbehaviour before the enemy, in the battle of Chilianwalla on the 13th of January 1849, and in the battle of Goojerat on the 21st of February 1849.

Finding.—Guilty.

Sentence.—Loss of three steps in his Regiment.—*Approved and confirmed.—Head Quarters, Delhi, 9th November* 1849.

Lieutenant Augustus Frederick English, 22nd N. I.

Tried by General Court Martial at Rawul Pindee, 24th October 1849.

Charge.—For having failed to rejoin his Regiment stationed at Rawul Pindee on the 31st of May 1849, on the expiration of the temporary leave which had been granted to him, in expectation of general leave being sanctioned, notwithstanding that he had received the positive orders of his commanding Officer to do so, and for having been absent without leave, from that date until the 24th of August 1849.

Finding.—Guilty.

Sentence.—To be severely reprimanded, and to lose one step in the Regiment.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—Lieutenant English has been above five years in the service, and has therefore no right whatever to put forth the excuse that he was ignorant of his duties, especially as he must have seen men tried for the offence of which he has been found guilty. I feel therefore that it is necessary to carry so much of the very proper sentence of the Court into execution as to reprimand Lieutenant English, and he is hereby reprimanded accordingly. But I accept of the contrition of Lieutenant English, and in the hope that his conduct will be more correct in future, I pardon him the rest of his sentence, viz. the loss of one (1) step in the list of Lieutenants of the 22nd Regiment Native Infantry.—*Head Quarters, Delhi, 1st November* 1849.

Shaik Golam Russool, Jemadar, 12th Irregular Cavalry.

Tried by General Court Martial at Rawul Pindee, 22nd October 1849.

Charge.—For conduct unbecoming an Officer, in having, at Rawul Pindee, on the night of the 8th of September 1849, absented himself, without leave, from the lines of his Regiment after tattoo beating, and proceeded, in disobedience of strict orders, to the city of Rawul Pindee.

Finding.—Guilty.

Sentence.—Suspension from rank, pay, and allowances for two months.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I have approved and confirmed this sentence, but I consider it to be a very lenient one, and I warn all Officers and men of this Regiment, that such a direct disobedience of orders shall not again be so lightly passed over, if another such comes again to my notice.—*Head Quarters, Delhi, 1st November* 1849.

Dabiedeen, Private Camp Follower.

Tried by General Court Martial at Neemuch, 25th October 1849.

Charge.—Having assaulted Jerawun, Camp Follower, and pushed him into a well containing deep water, with the intention to drown him.

Finding.—Guilty.

Sentence.—Imprisonment with hard labor for four years. —*Confirmed.*

Remarks by His Excellency the Commander in Chief.—I have not approved, because I think the sentence too lenient. I feel convinced that this was a premeditated attempt at assassination.—*Head Quarters, Delhi, 10th November* 1849.

Captain Lionel Gomez DaCosta, 58th N. I.

Tried by General Court Martial at Lahore, 5th November 1849.

Charge.—Unofficer-like conduct, in having, at Jugraon and at Mulickpore, in the months of February and March 1849, played at cards with Major T. Cooke, 17th Regiment Native Infantry, for large stakes and bets, in the course of which play he won from Major Cooke the sum of twenty-six thousand Rupees, or thereabouts; such conduct being in direct disobedience of repeated General Orders prohibiting gambling in the Army; viz., General Orders by the Commander in Chief, dated respectively the 25th of September 1820, the 16th of August 1831, and the 26th of June 1845.

Finding.—Guilty.

Sentence.—To be placed at the bottom of the list of Captains in the Regiment.—*Approved and confirmed.*—*Head Quarters, 20th November* 1849.

Lieutenant Francis Robert Tottenham, 7th Light Cavalry.

Tried by General Court Martial at Jullundur, 10th November 1849.

Charge.—Conduct unbecoming an Officer, in having, at Jullundur, on the 24th of August 1849, in a written defence presented by him, and read at a Court of Inquiry there held to investigate his conduct, expressed himself in a highly insubordinate and disrespectful manner respecting his Commanding Officer Major B. T. Phillips, commanding the 7th Light Cavalry, unjustifiably alleging, amongst other things, that Major Phillips had been actuated by "malignant rancour" against him; had "raked up every "little incident against him for no other purpose than to

"blast his fair fame and reputation;" had made an "impotent" attempt to "exert the influence of a Com-"manding Officer over the junior Officers of his corps, to his "(Lieutenant Tottenham's) detriment:" had not adopted "a manly, frank, open, straightforward proceeding, calcu-"lated to inspire him (Lieutenant Tottenham) with that "respect and admiration for his Commanding Officer so "essential to the well being of the service;" had "not "evinced the most becoming spirit," and that "through-"out the proceedings Major Phillips had persecuted him "(Lieutenant Tottenham) in an almost unparalleled and "unprecedented manner."

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowances for three months.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—1st. On reading the proceedings of this Court Martial, I feel bound to call the attention of Major Phillips to the mode in which he has exercised his authority as Commanding Officer of a Regiment. It was not proper to cause his Adjutant to write official notes to Officers, demanding their written opinions on the general conduct and character of a brother Officer, and to state the terms of friendship on which they stood with him. The Officers very properly declined to answer such questions, except to a proper tribunal, and even then their answering such questions would generally be optional! Major Phillips has to learn that if a Commanding Officer has unfortunately cause

to bring an Officer under his orders to trial, he must deal with *facts*, and not seek to draw forth the opinions of his brother Officers on the general character of the person he charges with misconduct. He has a right to make his enquiries as to *facts*, and when he thinks the evidence sufficiently strong to prove those specified facts, he gives in charges. I am willing to accept Major Phillips' assurance, and the opinions of witnesses, that Major Phillips' intentions were to serve the public, but his mode of proceeding was most injurious and destructive of all harmony in a Regiment.

2nd. I have also to remark that no Court of Inquiry, nor a Court Martial, has a right to allow, much less advise, a prisoner to withdraw a defence once read in public, and casting dishonor on another person. The doing this by the Court of Inquiry, of which Lieutenant Colonel Downing was President, was a very unwarrantable proceeding. When a man publicly accuses another before any Court that Court records the paper, and takes such notice of its propriety or impropriety as it deems fitting, or leaves it to a higher authority to do so, but it has no right to *suppress* such a paper after it has been publicly read.

3rd. I may here remark on the erroneous opinion which seems to have prevailed on the Court of Inquiry, of which Lieutenant Colonel Downing was President. A Court of Inquiry ought gene-

rally to be a closed Court ; no one allowed to enter but such individuals as are called for, and who being privately examined, are sent out. If any person happens to be accused of misconduct, he is called upon for his statement of the matter in hand like any other person ; he may either appear or refuse to appear, as he pleases, unless ordered by superior authority, and either answer any questions put to him, or refuse to answer. The Court may either communicate to him what has been said, or refuse to communicate to him what it has elicited; it does what it deems best suited to obtain information on which higher authority can safely act. It is generally objectionable to make a Court of Inquiry an open Court. In this instance it has produced a Court Martial, which this Court of Inquiry, by its improper mode of proceeding, forced upon me as Commander in Chief. Courts of Inquiry are objectionable proceedings when they can be avoided, but in a large army, they are sometimes necessary.—*Head Quarters, Umballah, 17th November* 1849.

Lieutenant John Edward Hussey Taylor, H. M. 10th Foot.

Tried by General Court Martial at Ferozepore, 1st October 1849.

Charges.—1*st Charge.*—For having in action at Mooltan, on or about the 3rd of January 1849, misbehaved before the enemy ; he having, when No. 4 company, to which he belonged, was advancing to the assault of the Dowlut

gate of Mooltan, separated himself from the men and taken refuge in a small house, and there remained under shelter till some time after the capture of the gate.

2nd Charge.—For having, in action at Goojerat, on the 21st of February 1849, misbehaved before the enemy on two occasions; he having, while in the supernumerary rank of the company to which he belonged, when the Regiment was advancing under fire of the enemy, marched with his body stooped down, under the influence of fear; and having afterwards, when the men were lying down under fire of the enemy, reclined in their rear and availed himself of the partial protection of a cavity in the ground, under the influence of fear; in both these instances setting a very bad example to the men of the company.

3rd Charge.—For having, at Ferozepore, on or about the 9th of June 1849, improperly questioned Sergeant James O'Connor, of Her Majesty's 10th Foot, relative to the information given by him to the Commanding Officer, when called on so to do, relative to his, Lieutenant Taylor's conduct at the battle of Goojerat, as alleged in the second charge; and for having, on the same occasion, spoken most disrespectfully and unbecomingly of his Commanding Officer, Lieutenant Colonel Franks, C. B., Commanding Her Majesty's 10th Regiment, by informing Sergeant O'Connor, that Lieutenant Colonel Franks and himself had previously had a dispute, and that he, Lieutenant Taylor, believed his Commanding Officer wished to injure him, or words to that effect.

4th Charge.—For having, at Ferozepore, on or about the 5th of July 1849, improperly communicated, at the orderly room, with Sergeant Michael Lloyd and Sergeant Michael O'Donnell, of Her Majesty's 10th Regiment, and rebuked the former, respecting the statements made by

them at a Regimental Court of Inquiry, held at Ferozepore on the 2nd of July and subsequent days, to investigate his (Lieutenant Taylor's) conduct, as alleged in the second charge; and unbecomingly warned them that it was his intention to cross-examine them strictly before a Court Martial, and if they were not careful they would convict themselves, for they had been very nervous at the Court of Inquiry, or words to that effect.

Finding.—Not guilty, and a most full and most honorable acquittal of the whole and every part of the charges.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—These proceedings have been extended to a most unwarrantable length by the admission of a very great proportion of irrelevant matter, the blame of such irregular proceedings rests mainly with the President, whose duty it was to have checked and prevented the introduction of such objectionable matter, and had this duty been properly performed, the Court need not have sat for nineteen days extending over a period of a month, to the great inconvenience of the public service.—*Head Quarters, Camp, 21st November* 1849.

Cornet John Dunkin Bennett, H. M. 3rd Light Dragoons.

Tried by General Court Martial at Fort William, 7th November 1849.

Charge.—Being drunk when on duty as Officer of the guard on board the Ship *Camperdown.*

Finding.—Guilty.

Sentence.—To be cashiered.—*Approved and confirmed.*

Recommendation by the Court.—The Court, having awarded the only sentence which they deem commensurate with the serious offence committed by Cornet Bennett, do most earnestly recommend him to the merciful consideration of His Excellency the Commander in Chief, in consequence of his youth, contrition, and total inexperience.

Remarks by His Excellency the Commander in Chief.—I do not consider the youth of the prisoner to be any excuse, his contrition is good, his "*total inexperience*" is some excuse, as it prevented his being aware of the magnitude of his crime ; and this inexperience, added to his frank and manly defence, induces me to pardon Cornet Bennett, and I trust he will prove a better Officer than his beginning promises. He is to join his regiment, and his Commanding Officer is to report to me, till further orders, how Cornet Bennett conducts himself. This report to be quarterly.—*Head Quarters, Camp, 25th November* 1849.

The Review at Meean Meer.

HEAD QUARTERS, CAMP LAHORE, 15TH DECEMBER 1849.

At the late review of the troops on the plain of Meean Meer, the following egregious deficiencies were evident to all :

1st. That some Commanders of Regiments were unable to bring their Regiments properly into the general line.

2nd. One Commanding Officer of a Regiment attempted to wheel his whole Regiment as he would a company !

3rd. Several Officers commanding companies were seen disordering their companies by attempting to dress them from the wrong flank.

4th. When the line was ordered to be formed on the left column, some Commanders deployed too soon, and ordered their lines, (thus improperly formed) to "*double quick*," in order to regain their position ! This was all bad ; but it was worse to see these Regiments on receiving the word to "*double quick*," at once charge with loud shouts ; no such order to charge having been given by any one, nor the word "*prepare to charge*," nor did any thing occur to give a pretext for such a disgraceful scene, exhibiting both want of drill and want of discipline !

5th. Bad as this was, it was not the worst. When these Regiments chose to "*charge*," the Commander in Chief, to his astonishment, beheld the men discharging their firelocks straight up in the air, and he saw some men of the rear rank actually firing off their musquets to the rear over their shoulders as their bearers (he will not call them Soldiers) were running to the front ! He feels assured that no such a scene could have occurred in any other Regiments in the Army : if ever such again happens, he will expose the Com-

manding Officer of any Regiment that so disgraces itself, in public orders, to the whole of the Indian Army. In the course of his service he never before witnessed such a scene. No Commander could go into action with a Regiment capable of such conduct without feeling certain that it would behave ill ! The Commander in Chief will, therefore, hold Commanding Officers responsible (for they alone are to blame) that any Soldier who shouts, or charges, or fires, without orders, be instantly seized, tried at once by a drum-head Court Martial, and the sentence executed on the spot. Courts Martial which try such dangerous offenders will, the Commander in Chief has no doubt, uphold military discipline and military honor against outrageous and criminal disorder.

This order may be deemed severe : the Commander in Chief means it to be so, for he will not pass over without animadversion, faults which, if tolerated, would in the event of war produce certain defeat to this army. The reviews which the Commander in Chief makes of the troops are not to be taken as so many "*chips in porridge.*" They are made for the purpose of ascertaining what Officers are fit to command battalions, and there being no want of such in the Indian Army ; he will feel it to be his bounden duty to remove those who are not ; and whenever he finds a Regiment "*fire,*" "*shout,*" *or* "*charge,*" without orders from

its Commander, he will, after this warning, remove the latter from his command.

The Sepoy is both a brave and an obedient Soldier ; and whenever he behaves ill, it is in a great measure the fault of his Commanding Officer.

The drill and discipline of all armies rest mainly with the Commanders of Regiments and of Companies. They are in immediate contact with the Officers, non-commissioned Officers and Private Soldiers ; and to them General Officers must look for that perfect obedience, without which an army is an armed mob, dangerous to its friends, and contemptible to its enemies.

The Commander in Chief does not hereby call on Commanding Officers to torment those under their orders by long and harassing drilling. But he does call upon them to instruct their Officers, and to instruct themselves, and also their supernumerary ranks, that they are to seize any man in their front, who dares to *shout*, or *talk* or *fire* or *run*, without orders. General Officers commanding Divisions and Brigades in this army are called upon to see that Commanders of Regiments do their duties in those points.

The Commander in Chief does not apply this order to all Commanders ; he well knows that there are abundant firstrate Soldiers, and firstrate Regiments in the Indian Army ; but he applies it to those whose Regiments are in bad order.

Courts Martial.

Subadar Davedeen Opudhya, 13th N. I.

Tried by General Court Martial at Rawul Pindee, 26th October 1849.

Charge.—Having, at Rawul Pindee, on or about the 18th of July 1849, after having, by the report of Havildar Mokhum Pande, Orderly Havildar, come to the knowledge of a mutiny among the men of the grenadier company, who had determined not to receive the pay issued to them for May 1849, unless it were made up to the rate of the Scinde pay, failed to give information thereof to his Commanding Officer, or to take measures for its suppression.

Finding.—Guilty of the charge, with the exception of that part where he is charged with having failed to take measures for the suppression of the mutiny.

Sentence.—Dismissal from the service.—*Confirmed.*

Recommendation to Mercy.—The Court recommends the prisoner to the merciful consideration of His Excellency the Commander in Chief.

The Court is of opinion, that the prisoner failed through error of judgment to communicate to the Captain of his Company the report of the mutiny which had come to his knowledge, as the prisoner may have felt satisfied that he had performed his duty in making the enquiry which he did, and as he was unable to discover the parties concerned, he may have considered that a mutiny did no longer exist, and that it was unnecessary to communicate what he had heard to the Captain of the Company.

Remarks by His Excellency the Commander in Chief.—With great pain do I reject this recommendation to mercy, because it grieves me to deprive an old and hitherto worthy Officer of his

commission. But any Officer, non-commissioned Officer or Soldier who comes to the knowledge of, and conceals from his superiors, the existence of a mutinous spirit in any Regiment shall receive no mercy from me.—*Head Quarters, 25th November* 1849.

Boabul Pande, Pay Havildar, Grenadier Company, 13th N. I.

Tried by the same Court Martial, 26th October 1849.

Charge.—Having, at Rawul Pindee, on or about the 18th July 1849, he being on duty at the time, and having been present at a mutiny among the men of the grenadier company, who had determined not to receive the pay issued to them for May 1849, unless it were made up to the rate of Scinde pay, failed to give information thereof to his Commanding Officer.

Finding.—Guilty.

Sentence.—Dismissal from the service.

Remarks by the Commander in Chief.—I cannot concur with the finding and sentence of the Court. The prisoner's time was wholly occupied on that day. He endeavoured to convince the Sepoys of their improper conduct, and failing in this, he desired the Orderly Havildar to report what was going forward to the Subadar, while he went for the pay to the Treasury. His having been wholly occupied on that day with his business as Pay Havildar, is confirmed by the testimony of Captain Whitelocke. Taking all these circum-

stances into consideration, I cannot think the prisoner guilty, and he is to return to his duty as a Havildar.—*Head Quarters, 28th November* 1849.

Havildar Mokhum Pande, 13th N. I.

Tried by the same Court Martial.

Charge.—Having, at Rawul Pindee, on or about the 18th July 1849, he being on duty at the time, and having been present at a mutiny among the men of the grenadier company, who had determined not to receive the pay issued to them in May 1849, unless it were made up to the rate of Scinde pay, failed to give information thereof to his Commanding Officer, although he knew that the Subadar of the company, to whom he did report the circumstance, took no measures to suppress the mutiny and made no report of it.

Finding.—Guilty.

Sentence.—Dismissal from the service.

Recommendation to Mercy.—The Court recommends the prisoner to the merciful consideration of His Excellency the Commander in Chief, on the ground that from error of judgment he concluded that in reporting the mutiny to the Subadar of his company, he had performed his duty; and that there was no occasion for him to report it also to the Captain of his Company.

Remarks by the Commander in Chief.—I cannot approve of either the *finding* or *sentence*. It does not appear to me that the Havildar knew that the Subadar had taken no steps to report to his superior Officer what had been reported to him by the prisoner. The prisoner reported what was

going forward to his Subadar, and he did this at once, and I therefore order him to return to his duty.—*Head Quarters, 26th November* 1849.

Lieutenant Philip Moss Walmisley, 16th N. I., (Grenadiers.)

Tried by General Court Martial at Fort William, 13th November 1849.

Charges.—For highly unbecoming conduct, and abuse of his authority as commanding a detachment of his Regiment, in having, at Patna, on the night of the 15th of May 1849, (being at the time in a state of intoxication) landed a large portion of the detachment from the vessel on which they were returning to the Regiment, and marched them with fixed bayonets into the town of Patna, with the view of rescuing from the police station house two persons in confinement there, who had accompanied him that evening into the town, and had been apprehended during a disturbance there, in which Lieutenant Walmisley and themselves were concerned.

Additional Charge.—For having, on or about the 22nd August 1849, and on or about the 9th September 1849, broken his arrest, by having quitted the cantonments of Barrackpore, and having, on both occasions, proceeded to Calcutta without leave, in direct disobedience of Station Orders, and of the orders of the Officer commanding the Regiment.

Finding.—Guilty of the first charge except as to the words "being at the time in a state of intoxication;" and of the additional charge except as to the second instance, namely, "on or about the 9th September 1849."

Sentence.—To be cashiered.—Approved and confirmed.

Remarks by His Excellency the Commander in Chief.—I am bound to express my great satisfaction at the conduct of Lieutenant White, of the 40th Native Infantry, which was that of a steady and excellent Officer. I also approve of the conduct of the sentry, Private Morad Allee, also of the 40th Native Infantry, who acted in a manner becoming a Sentry and a Soldier.—*Head Quarters, Camp, Lahore, 15th December* 1849.

The Civil Courts at Simla.

HEAD QUARTERS, CAMP, LAHORE, 22ND DECEMBER 1849.

Doubts having arisen respecting the amenability of Military Officers to the Civil Courts at Simla, in actions of debt below the amount of four hundred Rupees, and much obstruction to justice and hardship to Merchants and others having been caused by the refusal of Military Officers to acknowledge the jurisdiction of the said Courts, and by the neglect of Officers commanding Regiments and Stations to aid the civil power in carrying out the decrees of these Courts, the Commander in Chief desires that all parties concerned shall bear in mind, that no one is at liberty to resist the jurisdiction of the Civil Courts at Simla, and that Officers dissatisfied with the decisions of these Courts, may appeal to the superior Courts on the ground of want of jurisdiction.

When Officers against whom decrees are given in the Civil Courts at Simla, return to their Regiments or Stations, the decrees will be executed through the ordinary civil authorities and by civil process, but it is the duty of the military authorities, and they are hereby most strictly enjoined to see, that no improper obstacles are thrown in the way of the Civil Officers, and to render assistance to them, whenever assistance becomes necessary. Any Commanding Officer who fails to act up to this injunction will be proceeded against for direct disobedience of orders and contempt of authority, and the Commander in Chief warns all concerned, that the indulgence of leave to visit the hills on private affairs, will be withheld from any Officer, who, forgetful of what is due to the honorable profession to which he belongs, subjects himself to have his conduct brought to the notice of superior authority for failing to pay a just debt.

Lieutenant James Morphett, H. M. 53rd Foot.

Tried by General Court Martial at Rawul Pindee, 20th November 1849.

First Charge.—For disgraceful conduct, in the following instances:

1st. In having, at Lahore and Rawul Pindee, between the month of May 1847 and the present date, by his own neglect in the liquidation of a loan from the Agra and United Service Bank, obliged the Bank to require Lieu-

tenant Grubbe, of the 53d Foot, as surety for him, to make good the debt.

2nd. In having, at Rawul Pindee, on or about the 18th of August 1849, falsely stated to his Commanding Officer, that he was provided with two sureties for the purpose of releasing Lieutenant Grubbe from all liability, as his surety for the said loan from the Agra Bank.

3rd. In having, in a letter to the Captain of his Company, dated 26th of August 1849, falsely stated that the Agra Bank had accepted and held a paper releasing Lieutenant Grubbe from all liability as his surety for the said loan from the Agra Bank.

Second Charge.—For disobedience of orders, in having, at Rawul Pindee, on or about the 4th of September 1849, failed to attend at the Orderly Room, though warned to do so by order of the Captain of his Company.

Third Charge.—For disgraceful conduct, in having, at Rawul Pindee, on the 5th September 1849, when required by the Commanding Officer of the Regiment to account for his non-attendance at the Orderly Room on the previous day, falsely asserted that he had not been warned; and when further pressed, falsely reported that he had not been warned till the bugle sounded for the Orderly Sergeants.

Fourth Charge.—For having, at Rawul Pindee, on the morning of the 7th of September 1849, absented himself from Regimental parade without leave, on the pretence of sickness.

Fifth Charge.—For disobedience of the positive order of his Commanding Officer, repeatedly delivered to him, in having, at Rawul Pindee, on or about the 7th September 1849, failed to report, through a Medical Officer, his inability to attend parade on that day, when absent upon the plea of illness.

Finding.—First charge, 1st instance, Not Guilty; 2nd and 3rd instances, Guilty; second charge, Not Guilty; third, fourth and fifth charges, Guilty.

Sentence.—To be cashiered.—*Approved and confirmed.*—*Head Quarters, Camp Lahore, 10th December* 1849.

Private Lawrence McNamara, H. M. 80th Foot.

Tried by General Court Martial at Dinapore, 22nd November 1849.

Charges.—1st. Having absented himself from barracks without leave, after hours, and not having returned until brought back by an escort, the following morning, when he was drunk; 2nd, having, struck with his clenched fist and offered violence to Sergeant John Torsey, in the execution of his office.

Finding.—Guilty.

Sentence.—Transportation for seven years.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I cannot pass by the above sentence without the most positive prohibition of the extraordinary practice, which it seems prevails in Her Majesty's 80th Regiment, of sending out non-commissioned Officers, without the assistance of Privates, to apprehend offenders at a distance from the barracks.—*Head Quarters, Comp Lahore, 10th December* 1849.

Shaick Ahmed, Subadar, 61st N. I.

Tried by General Court Martial at Lahore, 15th December 1849.

Charge.—For conduct highly unbecoming a Native commissioned Officer, at Govindgurh, in the following instances:

1st. In having, during the months of September and October 1849, connived at, and permitted, an unjust division of duty among the Sepoys of the 2nd company of the Regiment, and in having, on remonstrances being made, used abusive and threatening language to the complainants.

2nd. In having, on the 22nd October 1849, conducted himself with great disrespect at a European Court of Inquiry, by falsely declaring, that Captain J. C. Innes, 61st Regiment, the President of the Court, was not correctly recording the statement of one of the witnesses, insinuating that the whole Court was prejudiced against him, and declaring that he would reply to the complaints which had been preferred against him at a Court composed of Native Officers.

3rd. In having, on or about the 4th of November 1849, sent to his Commanding Officer, Major J. Macdonald, a Persian petition containing false imputations of harsh and oppressive acts stated to have been committed by Major Macdonald, and impugning his justice in the disposal of offences.

Finding.—Preamble, Guilty; 1st and 2nd instances, Not Guilty; 3rd instance, Guilty.

Sentence.—Suspension from rank, pay and allowances for two months.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I cannot help thinking that the prisoner is a well meaning Officer, but of an irascible temper, which, in my opinion, has been improperly tried. The President of the Court of Inquiry appears to

have been as irascible as the prisoner, and with less cause.

The Adjutant ought not to have left the room for a private conference with Perrowtee. The act was an innocent one, but it was calculated to cast doubts into the mind of the prisoner that he had not fair treatment, and this ought to have been avoided.

I recommend the prisoner to keep his temper more under command, or it will assuredly lead him into trouble.—*Head Quarters, Camp, 26th December* 1849.

Pursun, Drummer, 10th N. I.

Tried by General Court Martial at Lucknow, 17th December 1849.

Charge.—Wilful murder of his wife Sooneea by cutting off her head with a knife.

Finding.—Guilty.

Sentence.—Death by hanging.—*Approved and confirmed.—Head Quarters, Camp, 26th December* 1849.

Private Thomas Sallone, H. M. 9th Lancers.

Tried by General Court Martial at Wuzeerabad, 2nd November 1849.

Charges.—1st. Being drunk when on inlying picquet; 2nd, Having made away with or lost regimental clothing and necessaries; 3rd, Having offered violence to his superior Officer, Brevet Major R. A. Yule, H. M. 9th Lancers, by throwing his cap at him, he being in the execution of

his duty; 4th, Having made use of highly insubordinate and threatening language towards Brevet Major R. A. Yule, saying "that he could punch his head," or words to that effect.

Finding.—Guilty.

Sentence.—(Previous convictions and general bad character taken into consideration) Transportation for life.

Revised.—I think the sentence is too severe.—*Head Quarters*, 18*th November* 1849.

Court adheres to its former sentence.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—I remit that portion of the sentence which exceeds seven (7) years. The extreme youth of the criminal, and the most ill-timed and injudicious remarks made upon the prisoner in presence of his, Major Yule's, superior Officer, provoked the crime for which he has been justly condemned. The Court ought not to have called on Major Yule for the prisoner's character.—*Head Quarters, Camp Lahore*, 10*th December* 1849.

Hewunchul Patuck, Subadar, 22nd N. I.

Tried by General Court Martial at Rawul Pindee, 20th December 1849.

Charge.—For having, at Rawul Pindee, on or about the 12th of July 1849, after having come to the knowledge of a mutiny among the men of No. 4 company, who had determined not to receive the pay issued to them for May 1849, unless it were made up to the rate of Scinde pay, failed to give information thereof to his Commanding Officer.

Finding.—Guilty.

Sentence.—Dismissal from the service.—*Approved and confirmed.—Head Quarters, Camp, 26th December* 1849.

Sewdeen Awustee, Subadar, 22nd N. I.

Tried by the same Court Martial.

Charge.—For having, at Rawul Pindee, on or about the 12th of July 1849, after having come to the knowledge of a mutiny among the men of No. 5 company, who had determined not to receive the pay issued to them for May 1849, unless it were made up to the rate of Scinde pay, failed to give information thereof to his Commanding Officer.

Finding.—Not Guilty.—*Disapproved, but confirmed.*

Remarks.—I consider that this Court has been improperly conducted by the Deputy Judge Advocate General, and I shall report him to the Governor General.—*Head Quarters, Camp, 26th December* 1849.

Jemadar Ram Sing, 22nd N. I.

Tried by the same Court Martial.

Charges.—1st. For having, at Rawul Pindee, on or about the 13th of July 1849, when pay was to be issued to the Regiment (he having been at the time pay Havildar and orderly Havildar of the light company) purposely ordered the men of the company to disperse from the lines about the time they were required to receive their pay, and having falsely reported to Captain Hunt, commanding the company, when told to assemble the men, that they had dispersed on their own business, and could not then be collected.

2nd. For having, at Rawul Pindee, on the 14th of October 1849, made very unbecoming remarks to Seetul Tewaree, Sepoy, of the light company 22nd Native Infantry, regarding Havildars Ghassee Khan and Mygul Khan, of the light company, who had given evidence, on the preceding day, at a Court of Inquiry then held at Rawul Pindee, to the effect of the 1st charge.

Finding.—1st charge, Guilty, 2nd charge, Not Guilty.

Sentence.—Suspension from rank, pay and allowances for three months.—*Disapproved, but confirmed.—Head Quarters, Camp, 26th December* 1849.

Byjnath Tewary No. 56, and Byjnath Tewaree No. 72, Havildars, No. 1 Company, 22nd N. I.

Tried by the same Court Martial.

Charge.—For having, at Rawul Pindee, on or about the 13th of July 1849, they having been present at a mutiny among the men of No. 1 company, who had determined not to receive the pay issued to them for May 1849, unless it were made up to the rate of Scinde pay, failed to give information thereof to their Commanding Officer.

Finding.—Byjnath Tewaree No. 72, Guilty; Byjnath Tewaree No. 56, Not Guilty.

Sentence.—On Byjnath Tewaree No. 72, Dismissal from the service.—*Disapproved, but confirmed as regards Byjnath Tewaree No. 56; Confirmed as regards Byjnath Tewaree No. 72.—Head Quarters, Camp, 26th December* 1849.

The Mutineers of the 22nd N. I.

Before the same Court Martial, on the 21st day of December 1849, Hunooman Misser No. 310, Oudon Sing

No. 334, Bekharee Sing No. 405, Punchum Sing No. 418, and Nund Kessore Tewarree No. 439, Sepoys of the grenadier company; Dumbur Sing No. 707, Kalka Sing No. 665, Bhugga Ram No. 658, and Heera Ram No. 623, Sepoys of No. 1 company; Bundun Sing No. 270, Sepoy of No. 4 company; Sheckdeen Mahomed No. 272, Sheckh Madar Bux No. 345, Sewruttun Tewarree No. 621, and Ujroil Ram No. 674, Sepoys of No. 5 company; and Kalee Deen Tewarree No. 615, of No. 6 company; all Sepoys of the 22nd Regiment Native Infantry, were arraigned on the following charge:

For having, at Rawul Pindee, on or about the 13th of July 1849, begun, excited, and joined in a mutiny in their respective companies, having declared their own determination, and induced other Sepoys to determine, not to receive the pay issued to them for May 1849, unless it were made up to the rate of Scinde pay.

Finding.—The Court, from the evidence before it, finds the prisoners Hunooman Misser No. 310, Oudon Sing No. 334, Bekharee Sing No. 405, Punchum Sing No. 418, and Nund Kessore Tewarree No. 439, Sepoys of the grenadier company; Dumbur Sing No. 707, Kalka Sing No. 665, Bhugga Ram No. 658, and Heera Ram No. 623, Sepoys of No. 1 company; and Bundun Sing No. 270, Sepoy of No. 4 company, guilty of the charge.

The Court finds Sheckdeen Mahomed No. 272, Sheckh Madar Bux No. 345, Sewruttun Tewarree No. 621, and Ujroil Ram No. 674, Sepoys of No. 5 company, and Kalee Deen Tewarree No. 615, Sepoy of No. 6 company, guilty of the charge to the extent of "having joined in a mutiny in their respective companies, having declared their own determination not to receive the pay issued to them for May 1849, unless it were made up to the rate of Scinde

pay," but the Court finds them not guilty of the remainder of the charge.

Sentence.—The Court sentences Hunooman Misser No. 310, Oudon Sing No. 334, Bekharee Sing No. 405, Punchum Sing No. 418, and Nund Kessore Tewarree No. 439, Sepoys of the grenadier company; Dumbur Sing No. 707, Kalka Sing No. 665, Bhugga Ram No. 658, and Heera Ram No. 623, Sepoys of No. 1 company; and Bundun Sing No. 270, Sepoy of No. 4 company, all of the 22nd Regiment Native Infantry, to suffer inprisonment with hard labor for the term of four (4) calendar months.

The Court sentences Sheckdeen Mahomed No. 272, Sheckh Madar Bux No. 345, Sewruttun Tewarree No. 621, and Ujroil Ram No. 674, Sepoys of No. 5 company; and Kalee Deen Tewarree No. 615, Sepoy of No. 6 company, all of the 22nd Regiment Native Infantry, to be dismissed the service.—*Approved and confirmed.—Head Quarters, Camp, 26th December* 1849.

Private Thomas McTeague, H. M. 9th Lancers.

Tried by General Court Martial at Wuzeerabad, 16th December 1849;

Charges.—1st, Absence without leave after being warned for night guard; 2nd, Losing or making away with regimental clothing and necessaries; 3rd, Ditto a jacket, the property of Private W. Rimell; 4th, Discharging a loaded pistol at Private Charles Wood; 5th, Making use of threatening language to Sergeant George Andrews, using the words "I had the pistol loaded three days for your nut."

Finding.—1st, 2nd, 3rd and 5th charges, Guilty; 4th charge, Not Guilty.

Sentence.—Imprisonment for one year, with solitary confinement for fourteen days in the second, fourth, sixth, eighth, tenth and twelfth months, and to be put under stoppages till the deficiencies of regimental clothing and necessaries be made good.

Revised Sentence.—As before, with the addition of stoppages for Private Rimell's jacket.—*Approved and confirmed.—Head Quarters, 26th December* 1849.

Runjeet Sing, Pay Havildar, Grenadier Company 32nd N. I.

Tried by General Court Martial at Wuzeerabad, 5th January, 1850.

Charges.—First. For having, at Wuzeerabad, on the evening of the 16th December 1849, when he came to the knowledge of an intended mutiny in the Regiment to refuse to receive pay at the ordinary rate, made no endeavours to suppress it, and failed to give information thereof to his Commanding Officer.

Second. For having, at Wuzeerabad, on the 18th December 1849, at a Court of Inquiry, before which he was examined, given unwilling evidence, and prevaricated in his evidence respecting the combination in the Regiment to refuse pay, and falsely stated that Havildar Gyan Sing, of the grenadier company, was present on the evening of the 16th December 1849, when an attempt was made to excite the men of that company to refuse their pay.

Finding.—1st charge, Guilty; 2nd charge, Guilty, with the exception of the words "and falsely stated that Havil- "dar Gyan Sing, of the grenadier company, was present "on the evening of the 16th December 1849, when an at- "tempt was made to excite the men of that company to "refuse their pay," of which the Court acquits him.

Sentence.—Dismissal from the service.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—It is almost superfluous to say how painful it is to confirm the sentence of dismissal from the service of this old and hitherto excellent non-commissioned Officer. To the President and Members of the Court it must have been equally distressing to condemn an old comrade : they have done their painful duty like honorable Soldiers, I will do mine in a like manner ; and let it be known to this army, that I will pardon no man against whom it shall appear, that he concealed from his immediate superiors the existence of a mutinous spirit among his comrades, whether European or Native, whether Officer, non-commissioned Officer, or private Soldier. I have seen most of the armies in the world, and I have never seen one that is better paid, or better cared for, than the army of the East India Company ; neither have I ever seen a more obedient, more honorable army, and I will not allow a few discontented, malignant scoundrels to disgrace their Colours and their Regiments, by an insolent attempt to dictate to their Government, what pay that Government shall give Soldiers, towards whom it has always been both just and generous. The Government had, temporarily, and with great generosity, given a higher rate of pay to those Soldiers who served in the

Punjaub during the late war; this was a gratuitous reward to them for the privations incident to a campaign; and, because the Government did generously give this temporary increase of pay to those Regiments serving in the Punjaub, some mutinous villains have had the insolence to demand the continuation of such pay, when the Punjaub has become a province of the British territory! Woe be to those who so dare to disgrace their Regiments! Woe to those who, forgetting their duties as Soldiers of the State, conceal the infamous conduct of mutineers! A Havildar, Runjeet Sing, has done this in the 32nd Native Infantry, and for which misconduct on the part of the Havildar, forty years' good service have passed by him as the wind! Instead of an honored old Soldier retiring with credit from a service, of which he was one of the pillars and the pride, he is cast from it, dishonored and pensionless, by the just sentence of an honorable Court Martial.—*Head Quarters, Camp, Rhotas, 13th January* 1850.

Shaik Golam Hossein, Jemadar, 32nd N. I.

Tried by General Court Martial at Wuzeerabad, 1st January 1850.

Charges.—1st, Borrowing twenty rupees from a Sepoy; 2nd, Accepting bribes from Sepoys for appointment to a recruiting party.

Finding.—1st charge, Guilty; 2nd charge, Not Guilty.

Sentence.—Suspension from rank, pay and allowances for one month.

By the Commander in Chief.—I cannot agree with the Court. I see no evidence on the defence to rebut the evidence given in support of the prosecution. I therefore revise the proceedings, and beg that the Court will re-consider its finding and sentence, which last I also consider much too lenient for the disobedience of orders of which the prisoner has been found guilty.—*Head Quarters, Camp, Rhotas, 12th January* 1850.

Revised finding.—The Court, having carefully re-considered their former finding, beg respectfully to adhere to the same, as they do not consider the testimonies of Kudernauth Dhobee and Dwarkah Panday, Sepoys, of sufficient weight to convict the prisoner of the second charge; these witnesses being the parties who are alleged to have given the bribes cited in that charge, and their statements being the only evidence against the prisoner.—*Head Quarters, Camp, Rhotas, 12th January* 1850.

Revised Sentence.—Dismissal from the service.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—In consideration of the long services of the prisoner, I will commute his sentence to suspension from rank, pay and allowances for six months.—*Head Quarters, Camp, 16th January* 1850.

Meer Rujub Allee, Camp Follower.

Tried by General Court Martial at Neemuch, 29th December 1849.

Charges.—Assaulting and wounding Kookee, a native woman, with a sword, with intent to murder her; 2nd, Discharging a pistol at and wounding Punna, a native woman, with intent to murder her.

Finding.—Guilty.

Sentence.—Imprisonment with hard labor for fourteen years.—*Approved and confirmed.—Head Quarters, Camp, 16th January* 1850.

Lieutenant Edward Cookson, 68th N. I.

Tried by General Court Martial at Delhi, 11th January 1850.

Charges.—1st. For having gone to the mess of the Regiment in a state of intoxication, at Delhi, on the evening of the 2nd of December 1849, and there conducted himself in a highly unbecoming manner.

2nd. For having gone to the mess of the Regiment, at breakfast, in a state of intoxication, at Delhi, on the morning of the 4th of December 1849, and there endeavoured to provoke Ensign Alexander, of the same Regiment, into a quarrel with him.

3rd. For having gone to the mess of the Regiment in a state of intoxication, at Delhi, on the evening of the 4th of December 1849, and dressed in a shooting jacket, in direct disobedience of Regimental Orders, dated Delhi, 17th November 1849.

4th. For having, at Delhi, on the 6th of December 1849, behaved with unbecoming levity and great disrespect to a Regimental Court of Inquiry assembled to inquire into his conduct, as alleged in the foregoing charges; Lieutenant Cookson being at the time under the influence of drink.

5th. For having attended the same Court of Inquiry, at Delhi, on the 8th December 1849, in a state of intoxication.

6th. For having, at Delhi, on the 12th of December 1849, broken his arrest, and proceeded to the mess house of the Regiment and to the tent of Ensign Montagu on the same premises.

7th. For having, at the same time and place, conducted himself outrageously towards Lieutenant and Adjutant Gibbs, of the same Regiment; threatening him with personal violence when endeavouring to persuade him, Lieutenant Cookson, to return to his own quarters: for having shortly afterwards proceeded in a shameful state of intoxication to the house of Captain Bryant, of the same corps, and thence, in the same state, proceeded to the tent of Ensign Montagu, of the same corps, where he behaved with much violence and subjected himself to the disgrace of being taken back to his own quarters by force, under a guard of the Regiment.

Finding.—1st charge, Guilty, with the exception of the words "having gone to the mess of the Regiment in a state of intoxication," which the Court do not consider proved; the other charges, Guilty.

Sentence.—To be dismissed the service.—*Approved and confirmed.—Head Quarters, Camp, Attock, 26th January* 1850.

Beer *vs.* Rum.*

HEAD QUARTERS, CAMP, AKORA, 20TH JANUARY 1850.

The Commander in Chief will hold Commanding Officers of corps responsible that the intentions of Government, as

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* Government had issued a notification designed to encourage the use of malt liquors in supersession of ardent spirits. The price of Rum supplied to Canteens was reduced from Rupees 2 to Annas 13-4 per gallon, but the liquor being still retailed at the old price of one anna a dram, the difference, Rupees 1-2-8 per gallon, between the old and new rates, is to be laid out in reducing the retail price of Porter, Ale and Beer.

specified in the General Order by the Honorable the President in Council, dated the 11th ultimo, are strictly and judiciously fulfilled, as far as circumstances and the position of Regiments will admit.

With reference to paragraph 5 of the Government Order, His Excellency directs that when it may not be possible for detachments of Europeans of the Honorable Company's Army to obtain malt liquor, at a rate within the means of the Soldier, the difference of price accumulated on the sale of Rum, or such portion of the same as is considered necessary, may be laid out, at the discretion of the Officer commanding the detachment, in providing carriage for the transport of the wives and families of the men, or otherwise in adding to the comfort of the Soldiers; a report in each case of the amount so expended, and the purpose to which the money has been applied, being made to the Adjutant General of the Army, for the information of the Commander in Chief.

At the termination of the march, should any surplus funds remain unappropriated, they are to be divided, rateably according to the number of men, amongst the several corps of which the detachment is composed, and remitted to Commanding Officers, to be carried to the credit of the different Regimental Canteen Funds.

Courts Martial.

Shaick Fucqueera Bux, Dulmust Khan, and Hemnarain Sing, Sepoys, 32nd N. I.

Tried by General Court Martial at Wuzeerabad, 7th January 1850.

Charge.—For having, at Wuzeerabad, on the 16th December 1849, began and excited a mutiny in their Regiment, they having instigated the men of their own and

other companies to bind themselves by an oath not to accept the pay which was to be issued to them on the following day; in consequence of which, when pay was being issued on the day following, several Sepoys of the Regiment mutinously refused their pay.

Additional charge against Shaick Fucqueera Bux, Sepoy.—For having, at the time and place stated in the first charge, quitted his guard without leave, when on duty at the quarter guard, and proceeded towards the tent of the 4th company, for the purpose of exciting his comrades to refuse their pay.

Finding.—Dulmust Khan and Hemnarain Sing, Guilty, with the exception of the word "their own and;" Shaick Fucqueera Bux, Guilty of both charges, with the exception of the words "and other companies."

Sentence.—Imprisonment with hard labor for fourteen years.

By the Commander in Chief.—I revise the sentence. I call on this Court Martial to do its duty to the State. It has found the prisoners guilty of having "*begun and excited a mutiny in their Regiment*"; of an infamous attempt to dictate to the Government what amount of pay it should give to the Soldiers of the 32nd Regiment of Native Infantry!

These prisoners had voluntarily enlisted in the service of the East India Company for a certain fixed rate of pay; they swore to serve that Company for that rate of pay. When food becomes dear the Government generously pays the extra expense when above a certain reasonable price, so

that the Sepoy may not suffer when his duty takes him into provinces of the empire where circumstances make food increase in price. The Sepoy is found in clothing, in lodging, in pay beyond what he could earn were he not a Sepoy. He is also honorably treated in every way. Should a Sepoy commit any serious crime, his punishment is, ordinarily, simply dismissal from this noble army; and the dread of such a misfortune reigns in the bosom of every Sepoy! What higher compliment can be paid by Soldiers to their Government? What greater proof can be offered of that Government's justice and generosity? None! The nobleness of the Sepoy army, and the advantages which it enjoys are known to the whole world: pensions for long service; pensions for wounds received in battle; pensions to the bereaved families of those whose gallant fathers have fallen in action; increased pay for service to those who are yet robust and fit to do duty; Orders of Merit and medals for valour in fight; hospitals for the sick; and, finally, these excellent Soldiers are led by European Officers, all proud of, and glorying in their men! These are all great advantages. They crowd on the mind of the Sepoy who reflects upon the conduct of the generous Government which he serves: his reason and his heart make him true to those glorious standards under which he and his father have ever fought and conquered? I ask the Offi-

cers composing this Court Martial, whether they, as honorable Soldiers, think that 14 years' imprisonment, with hard labor, is an adequate punishment for the ruffians whom this Court has, itself, convicted of trying to subvert that order, that discipline, that justice, that generosity, (which the Court well knows I have described without exaggeration) and thus turn the whole into dire confusion and despair, depriving veterans of their pensions, widows and orphans of their support, and the good Sepoys of the 32nd Native Infantry of their pay, by forcing the Government to strike this brave Regiment from the service of the East India Company for ever? For this must have happened if the machinations of these culprits had succeeded? The prisoners, like infamous agitators as they are, have been convicted by the Court of having gone from company to company exciting their comrades to mutiny and administering unlawful oaths; and I revise the sentence passed upon them, as inadequate to the magnitude of their crime. I beg of the Court to re-consider its sense of the consequences which may result from the crime of these heinous offenders. Let it sentence a punishment commensurate with their damnable projects. —*Head Quarters, Camp, 16th January* 1850.

Revised sentence.—Death by hanging.—*Approved and confirmed.*

Ram Sohaie Misr and Nowrung, Sepoys, 32nd N. I.

Tried by the same Court Martial as above, 21st January 1850.

Charge.—Having taken part with Dulmust Khan and Hemnarain Sing, and begun and excited a mutiny among their comrades.

Finding.—Guilty.

Sentence.—Death by hanging.—*Approved and Confirmed.*

Remarks applying to both the above Courts Martial.—These five men have been justly sentenced to die, but I commute their sentence into that of transportation for life. In eternal exile they will expiate their crimes. For ever separated from their country and their relations, in a strange land beyond the Seas, they will linger out their miserable lives! It is a change, but I do not consider this to be an amelioration of their punishment: they will remain living examples of the terrible fate which awaits traitors to their colours!—*Head Quarters, Camp, 25th January* 1850.

Private George Thomas, 1st European Bengal Fusiliers.

Tried by General Court Martial at Lahore, 12th January 1850.

Charge.—Insubordinate and mutinous conduct; violent demeanour; obscene and mutinous language; destroying clothing.

Finding.—Guilty.

Sentence.—Imprisonment for two years with solitary confinement for the last fourteen days of the 2nd, 4th, 8th,

10th and 12th months of each year, and to be put under stoppages for clothing destroyed.—*Approved and confirmed.*—*Head Quarters, Camp, 19th January* 1850.

Ressaldar Mirza Ameer Beg, 5th Irregular Cavalry.

Tried by General Court Martial at Bareilly, 7th January 1850.

Charge.—Highly unbecoming conduct, instanced in overcharges for horses, and in false statements to conceal such overcharges.

Additional Charge.—Conduct highly unbecoming and disgraceful to a commissioned Officer, in making false complaints against his superior Officers, and sending a petition to the Commander in Chief through irregular channels.

Finding.—Guilty.

Sentence.—Dismissal from the service.—*Approved and confirmed.*—*Head Quarters, Camp, 30th January* 1850.

Ressaldar Meer Syud Khan, 13th Irregular Cavalry.

Tried by General Court Martial at Rawul Pindee, 23rd January 1850.

Charge.—Conduct disgraceful to a commissioned Officer, in attempting to defraud the Government by falsely stating that he had made advances to ten alleged recruits, and in procuring false acknowledgments for such advances.

Finding.—Guilty, except as to four of the alleged recruits.

Sentence.—Dismissal from the service and forfeiture of arrears.—*Approved and confirmed.*—*Head Quarters, Camp, 30th January* 1850.

Kote Duffadar Syud Ameer Khan, 12th Irregular Cavalry.

Tried by the same Court Martial, 24th January 1850.

Charge.—Disgraceful conduct in obtaining and attempting to obtain the false acknowledgments referred to in the foregoing case. (Pleaded Guilty.)

Finding.—Guilty.

Sentence.—Dismissal from the service and forfeiture of arrears.—*Head Quarters, Camp, 30th January* 1850.

Gunner Hugh McInnis, 3rd Company 1st Battalion Artillery.

Tried by General Court Martial at Peshawur, 24th January 1850.

Charge.—Having feloniously and unlawfully killed Salaroo, camp follower, by throwing a tent peg at his head.

Finding.—Guilty.

Sentence.—Imprisonment for one year.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—I only confirm this sentence, because I think it too lenient.—*Head Quarters, Camp, 2nd February* 1850.

Private Michael Kennedy, H. M. 18th Foot.

Tried by General Court Martial at Umballah, 8th January 1850.

Charge.—Discharging a loaded fowling piece at Sohab Sing, Sepoy, and wounding him in the head, with intention to do him some grievous bodily harm.

Finding.—Not Guilty.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I consider that the whole of this has arisen

from Private Kennedy's having been drunk, and I desire that his Commanding Officer do take such measures of severity towards this Soldier, as may teach him that he is not to disgrace the name of Her Majesty's 18th Regiment in future. By "measures of severity" I mean, that he should receive none of those indulgences that are granted to good and well conducted Soldiers until his future conduct is more becoming.—*Head Quarters, Camp, 23rd January* 1850.

Private Michael Sheehan, H. M. 18th Foot.

Tried by the same Court Martial, 9th January 1850.

Charges.—1st, Discharging a loaded fowling piece at Sohab Sing, Sepoy, 2nd, Assaulting Nehal Sing, Sepoy, and striking him with a fowling piece.

Finding.—Not Guilty.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—The Commanding Officer is desired to refuse all indulgence to this Soldier, as well as to Private Kennedy, till he learns not to disgrace his Regiment and the service by drunkenness.—*Head Quarters, Camp, 23rd January* 1850.

The Expedition against the Affredies.

HEAD QUARTERS, CAMP, PESHAWUR, 16TH FEBRUARY 1850.

The Affredie tribe inhabiting the mountain range, which separates Peshawur from Kohat, received certain sums of money from our Government to

protect the communications between the above-mentioned towns. Instead of doing so, they, on the 2nd instant, assembled in great numbers ; fell by surprise on a detachment of Sappers and Miners, peacefully employed in repairing the road over the pass at Kohat, and massacred these unoffending Soldiers.

Such treacherous and sanguinary conduct required chastisement, and it also became necessary to reinforce the post at Kohat, which by the insurrection of these Affredie tribes, was cut off and placed in danger.

The Commander in Chief therefore marched to reinforce Kohat and punish the Affredie tribe, which objects have been effected by Sir Colin Campbell, commanding the troops, and by Lieutenant Colonel Lawrence, commanding the civil force. The able manner in which both these Officers made their respective arrangements demands this public expression of the Commander in Chief's approbation. The admirable practice made by the artillery, in dislodging the enemy from the height, does much credit to Lieutenant Colonel Fordyce and those under his orders. Lieutenant Colonel Bradshaw commanded the advanced guard, both in going to and returning from Kohat, and that excellent Officer exhibited as thorough a knowledge of his duties as he did when he commanded the attack on the Eusofye country. Lieutenant

Colonel Corfield in returning, and Major Platt in advancing to Kohat, commanding the rear guards, distinguished themselves by the cool judgment and skill with which they repulsed the attacks of an active enemy ; in short, the Officers, non-commissioned Officers and Privates composing this movable column did their work admirably.

The fighting and labor fell upon those who had to scale the precipices, to secure the camp, and when marching, to protect the front, flanks and rear of the column, while passing, twice, through a dangerous defile of 13 miles in length, under a constant fire from matchlockmen.

The personal activity and intrepid conduct of those, whose good fortune gave them the opportunity of thus distinguishing themselves, in sight of their companions in arms, excited the admiration of the Commander in Chief, and added one more proof to those on record, that wild undisciplined mountaineers have but little chance of success when opposed to disciplined battalions. It is said that, in making this march to Kohat, Runjeet Sing lost a thousand men ; the Commander in Chief does not know whether this story is correct or not, but Brigadier Sir Colin Campbell has lost but twenty, nor was there one bit of baggage taken by our enemies, though they are renowned for being the most daring and dexterous plunderers in the world ! It is right that young military men should notice

these facts, because they teach practically the vast power of discipline, against which mountains and plains and rivers and jungles all cease to be insuperable obstacles.

The Commander in Chief cannot close this order without expressing his deep sorrow for the gallant men who have fallen. No Soldier ever died on the field of battle more gloriously than young Sitwell, of the 31st Native Infantry, and the self-devoted Soldiers Havildar Golab Ditchit, Naick Maddoo Sing, and Sepoys Meerwan Opadiah and Deebund Pandy, who fell in trying to save their wounded Officer, although this heroic young man called upon them to leave him and save themselves, which they refused to do, and died with him : Europeans and Natives must alike feel proud of these noble men !

The brave Lieutenant Hilliard, of the 23rd Native Infantry, and his small band, equally sustained the honor of the Indian Army, and though this valiant Officer's wound is severe, there is reason to hope that he, and the rest of the wounded, will in time be restored to their duties.

As Captain Coke and the 1st Punjaub Regiment of Infantry do not belong to the regular force, but sustained the brunt of the skirmishing, the Commander in Chief thinks it due to this admirable young corps and its excellent leader, to say, that their conduct called forth the applause of the whole column. Lieutenant Colonel Lawrence is therefore

requested to communicate this order to Captain Coke.

HEAD QUARTERS, CAMP, PUBBEE, 18TH FEBRUARY 1850.

The Commander in Chief put Bucktour Khan, Jemadar, of the rifle company of the 31st Regiment of Native Infantry, in arrest, for allowing his men to fire without orders, when the force employed against the Affredie tribe was attacked by the enemy on the morning of the 13th instant. He also ordered one or two Sepoys of that company to be confined.

His Excellency's own escort of the 2nd Irregular Cavalry, also fired without orders, and he intended to have brought the whole party to trial for this disgraceful action. Not only did they fire without orders, but the enemy was at the time out of reach of their fire-arms. The firing of these men was therefore an act of cowardice.

However in consideration of the gallant conduct shown by the force, and especially by the 31st Native Infantry, Sir Charles Napier will for once pass over the bad conduct of these men, and Lieutenant Colonel Corfield will be so good as to return to Jemadar Bucktour Khan his sword, giving him and the Sepoys who fired, who are now to be released from confinement, a severe caution against similar misbehaviour in future.

Courts Martial.

Captain James Townshend Daniell, 47th N. I.

Tried by General Court Martial at Cawnpore, 2nd February 1850.

Charges.—1st. For direct and wilful disobedience of General Orders, dated 21st December 1820 and 30th December 1823, in being at the present time under pecuniary obligation for money borrowed from a Native Officer, he, Captain Daniell, having at Benares, on or about the 1st of January 1844, borrowed of (the late) Mudaree Roy, Subadar, of the 47th Regiment Native Infantry, the sum of one thousand Rupees, which sum at the present time remains unpaid.

2nd. For disrespect to Lieutenant Colonel Hicks, C. B., commanding the 47th Regiment Native Infantry, in having, at Cawnpore, on the 24th of November 1849, taken no notice of a letter No. 231, of that date, addressed to him by the Adjutant of the Regiment, by order of Lieutenant Colonel Hicks, and requiring from him an explanation of his debt to the late Subadar Mudaree Roy.

Finding.—1st charge Guilty, with the exception of the word "wilful;" 2nd charge Not Guilty.

Sentence.—To be severely reprimanded in such manner as His Excellency the Commander in Chief may please to direct.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—I am sorry that it is my duty to reprimand an old Officer, and to think that he deserves the sentence passed upon him, and which I consider to be too lenient. I am quite ready to believe that Captain Daniell was not aware of the order, that

European Officers should not borrow money from Native Officers, but the answer to this feeble excuse is two-fold. First, it is an order of such a nature as to be a matter for regret that it should be required ! And secondly, it is an order of high importance to discipline : to be ignorant of such an order is inexcusable in a Captain of the army.

I approve of Lieutenant Colonel Hicks' conduct; that Officer did his duty in reporting to me the conduct of Captain Daniell.

Captain Daniell must pay the money borrowed before he is released from his arrest.—*Head Quarters, Camp, 20th February* 1850.

Gunner John Scanlan, 4th Company 3rd Battalion Artillery.

Tried by General Court Martial at Ferozepore, 14th February, 1850.

Charges.—Drunkenness; threatening and most insubordinate language.

Finding.—Guilty.

Sentence.—Imprisonment for nine months, with solitary confinement for the first 14 days of the 2nd, 4th, 6th and 9th months.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I refer the Commanding Officer of Artillery to the General Order, 16th March 1835.*—*Head Quarters, Camp, 23rd February* 1850.

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* The Right Honorable the Commander in Chief calls upon Officers Commanding European Corps and Detachments, to prohibit their Non-

Disbanding of the 66th N. I.

HEAD QUARTERS, CAMP, JANEE KE SUNG, 27TH FEBRUARY 1850.

In the remarks made by the Commander in Chief on the Court Martial which sentenced the prisoners of the 32nd Native Infantry, Sir Charles Napier said, that the culprits were convicted of trying "to deprive veterans of their pensions, widows and orphans of their support, and the good Sepoys of the 32nd Native Infantry of their pay, by forcing the Government to strike this brave Regiment from the service of the East India Company for ever, for this must have happened had the machinations of the culprits succeeded."

With the Soldiers of the 66th Regiment they have succeeded, and the Commander in Chief has resolved to use the powers entrusted to him by the Governor General. The Native Officers, non-commissioned Officers and Private Sepoys of the 66th Regiment are to be marched to Umballah, and there struck off from the service of the Honorable East India Company; and His Excellency

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Commissioned Officers from taking any other part in the confinement of drunken offenders than the ordering an escort of Privates to place them in restraint. Where the Non-Commissioned Officer, instead of avoiding, comes prominently forward into collision with the irritated drunkard, violence is generally the consequence, and the offence of the culprit swells to so great an extent as to demand the Sentence of a General Court Martial; whereas, were the Non-Commissioned Officer to keep aloof, and direct his subordinates to perform their duty, the milder punishments awardable by a Commanding Officer or a Regimental Court Martial, would generally suffice for the guilt already committed.

All men confined for drunkenness, should, if possible, be confined by themselves, in the Congee House, until sober, and not in the Guard Room, where they are often teazed and provoked to acts of violence and insubordination.

directs that the Colors of the 66th are to be delivered over to the brave and loyal men of the Nusseree Goorka Battalion, and that the 66th Regiment shall in future be denominated the 66th or Goorka Regiment.

The mutineers of the 66th have brought down ruin and disgrace upon the Regiment! When a mutinous corps has endeavoured to seize a Fortress, which a confiding Government believed it had entrusted to faithful Soldiers, it is time that vengeance should fall upon the whole.

The Commander in Chief has carefully read the proceedings of the Court of Inquiry, held at Govindgurh on the 3rd instant. He has also read the proceedings of the Court Martial held upon the most prominent mutineers of the 66th Regiment. Upon the sentences passed, he will here make no comment, as they have been approved of and carried into effect by the Major General commanding on the spot.*

The Commander in Chief has pleasure in expressing his approbation of the conduct of Lieutenant Colonel Bradford, 1st Light Cavalry, which appears to have been decided and judicious.

Sir Charles Napier has equal satisfaction in expressing his approbation of the prompt, decided and resolute conduct of Captain Macdonald, the Fort Adjutant; which conduct the Commander in Chief believes prevented the Fort of Govindgurh from falling into the hands of the mutineers.

It is now the Commander in Chief's painful duty to remark upon the disobedience of orders committed by Major H. Troup, commanding the 66th Native Infantry.

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* Major General Sir W. R. Gilbert, commanding the Punjaub Division, was deputed by His Excellency to supervise the proceedings of the Court Martial which tried the mutinous Sepoys of the 66th N. I.

When the Regiment mutinied, the conduct of this Officer was cool, resolute and deserving of the highest praise; but Major Troup had not previously read and explained to the Sepoys of his Regiment, the Governor General's order, dated 25th October 1849, when he received those orders at Lucknow in November.

Those orders were issued by the Governor General, through the Commander in Chief, for the express purpose of preparing the minds of the Sepoys for the just and necessary cessation of a temporary allowance, generously granted to the troops during the war.

To cause those Sepoys to discuss, to consider, and thoroughly to understand that reduction was the object of issuing those orders; and they must, from the sound principle on which they were based, have brought a conviction of their justness to the minds of the Sepoys.

Had Major Troup himself, or through his Interpreter, read and carefully explained the Governor General's orders to his Regiment, as all Commanding Officers were specially ordered to do, the mutiny might possibly still have taken place, but Major Troup would have done his duty, instead of assuming to himself as he did the right to disobey his orders, orders which were distinct, positive, and left no latitude to Major Troup's discretion.

The Commander in Chief regrets to recal to the attention of Major Troup, that, in His Excellency's orders of the 25th October, he said that he would hold Commanding Officers severely responsible for the explanation of those orders being made to the Sepoys;* and he therefore thus

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* In a Notification from the Adjutant General's Office publishing the Government Orders for the discontinuance of "Scinde Pay" and granting furlough in double proportion to the Native Regiments leaving the

publicly expresses his unqualified dissatisfaction that Major Troup should have considered his Sergeant Major to be the proper instrument for communicating the orders of the Governor General and of the Commander in Chief to the Sepoys of his Regiment! The Government of India has appointed an Interpreter to every Regiment, for the purpose of translating orders to the Native Corps, yet Major Troup left to a Sergeant Major to explain, not to the men, but to the Orderly Havildars to explain to the Sepoys, one of the most important and critical orders that ever was issued by a Governor General, and which the Commander in Chief had specially directed to be carefully explained by Commanding Officers to their Regiments!

Truly this shows a laxity of discipline that is enough to destroy the best army in the world!

With regard to Lieutenant Barker, the Commander in Chief is dissatisfied with the report made of that Officer's conduct, and Major General Sir Walter Gilbert will be pleased to place Lieutenant Barker in arrest, and order a Court of Inquiry to investigate and pronounce an opinion whether that Officer did his utmost to quell the mutiny of his guard; for it appears to the Commander in Chief, that Lieutenant Barker did not do his duty on that occasion, and that, had it not been for the energetic conduct of Captain Macdonald, the gates would have remained in possession of the mutineers, and the entrance of the 1st Light Cavalry have been prevented.

Finally, the Commander in Chief will take this opportunity of expressing his fervent hope, that the young European Officers of this army, who are full of ability,

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Punjaub, the last paragraph says that "the Commander in Chief will hold Commanding Officers severely responsible that these orders are fully and clearly explained and made known to all whom they concern."

zeal, and of good feeling towards the Natives, will see the necessity of endeavouring to associate as much as possible with the Native Officers, and make them their comrades in every sense of the word. It is thus *alone* that the European Officer can expect to acquire a thorough knowledge of what passes in his Regiment, and of the feelings which exist among those under his command. It is not through Sergeant Majors and Orderly Havildars that the Sepoy is to learn the justice, the generosity, and the care for his welfare which is exercised by his Government; these things he must learn direct from his European Officers. The abolition of Scinde allowance in the Punjaub ought to have been the subject of explanation and discourse of every European Officer in the Regiment with the men of his company.

In future every order issued by the Commander in Chief is to be read by Commanding Officers personally, or through their Interpreter, to the Regiment under their respective command; and again read and explained by every European Officer on his private parade to the company which he commands.

All Officers commanding Regiments in the Punjaub are, upon the receipt of this order, to report to the Adjutant General of the Army, stating the day on which they received the orders of the Governor General and Commander in Chief of the 25th of October last; also on what day and by whom they were read and explained to the Sepoys of the Regiment under their command.

Major O'Brien is immediately to march the Nusseree Battalion to Govindgurh, leaving its present arms, colours, accoutrements and stores at Juttogh, and on arriving at Govindgurh, he will make over his Native commissioned, non-commissioned Officers and Privates to Major Troup,

commanding the 66th or Goorka Regiment, who is immediately to issue the arms, accoutrements and colors of the 66th Regiment under his command, to the Goorkas. The 66th or Goorka Regiment thus newly formed and constituted, is to receive the line rates of pay and batta, from the date of receipt of this order at Juttogh. Major O'Brien will be so good as to take his measures for immediately recruiting the Nusseree Battalion to its full strength, in place of the men made over to the 66th Regiment.*

Lieutenant A. Barker, 66th N. I.

The Court of Inquiry assembled at Govindgurh, in conformity with the General Order of the 27th of February last, for the purpose of investigating into the conduct of Lieutenant A. Barker, of the 66th Regiment of Native Infantry, having closed its proceedings, is dissolved, and

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* With reference to these and certain previous orders, His Excellency issued the following "Memorandum" on the 26th March:—

Memorandum.—The Commander in Chief having caused copies of the General Orders of the 31st January last and 27th ultimo, (the former publishing the result of a Court Martial on certain Sepoys of the 32nd, the latter dismissing the Native Officers, non-commissioned Officers and Sepoys of the 66th Regiment of Native Infantry from the service of Government, and constituting the Nusseree Battalion the 66th or Goorka Regiment,) to be struck off at the Delhi Press, in the Deva Nagree character, in sufficient number to admit of three copies being forwarded to every Native corps of the line in the service, Artillery, Cavalry and Infantry, His Excellency is pleased to direct that on receiving them, the Commanding Officers of such corps will cause a copy of the translations to be entered in the book kept for the purpose in every troop and company, and have them frequently read and fully explained to the men both on company and regimental parades.

One copy of each of the translations is also to be hung up in the quarter guards of corps.

His Excellency the Commander in Chief is pleased to express his approval of the opinion recorded by the Court.

Lieutenant Barker is to be released from arrest, and permitted to return to his duty, under instructions which will be communicated to Major General Sir W. R. Gilbert, G. C. B., Commanding the Punjaub Division.—*Head Quarters, Camp, Sohul, 1st April* 1850.

Gunner Thomas Green, 4th Company 5th Battalion Artillery.

Tried by General Court Martial at Cawnpore, 6th February 1850.

Charges.—1st, Habitual drunkenness; 2nd, Arming himself with a musket to offer violence to Sergeant G. Mactier; 3rd, Offering violence to Corporal E. Kenney, by throwing at him the musket referred to in the 2nd charge.

Finding.—Guilty.

Sentence.—Imprisonment for one year with solitary confinement for fourteen days in the 2nd, 4th, 6th, 8th, 10th and 12th months.—*Approved and confirmed.—Head Quarters, Camp, 23rd February* 1850.

Jemadar Bhowanee Lalla, 22nd N. I.

Tried by General Court Martial at Ferozepore, 26th February 1850.

Charge.—Conduct disgraceful to a commissioned Officer in grossly prevaricating in evidence given on the trial of Subadar Sewdeen Awustee, for the purpose of screening the accused from the charge on which he was arraigned.

Finding.—Guilty.

Sentence.—Dismissal from the service.—*Approved and confirmed.—Head Quarters, Camp, 2nd March* 1850.

Captain William Charles Hollings, 47th N. I.

Tried by General Court Martial at Cawnpore, 11th January 1850.

Charges.—1st. For having at Cawnpore, on the 6th of November 1849, when Superintending Officer of a Native Court of Requests, attended the Court in a state of intoxication, which rendered him incapable of properly conducting the proceedings.

2nd. For highly unbecoming conduct, in having, at Cawnpore, on the same occasion, addressed abusive language to, and struck Dheraj, Mahajun, a party to suits before the Court, and in having addressed himself in familiar and obscene language to persons present in Court.

3rd. For having, at Cawnpore, on the 17th November 1849, been drunk at an inspection parade of the Regiment.

Finding.—1st charge, Guilty; 2nd, Not Guilty; 3rd, the Court find the prisoner Guilty of having, at Cawnpore, on the 17th November 1849, been partially intoxicated at an inspection parade of the Regiment, but not "drunk," of which the Court acquit him, and with regard to this charge, the Court being of opinion, that the matter was disposed of at the time by what has hitherto been considered competent authority, abstain from passing any sentence against the prisoner on it.

Sentence.—Suspension from rank, pay and allowances for six months.

Revised.—The Court is directed to read over the first charge on which it has convicted the prisoner, and then to read the 76th Article of War;

it will see that it has *no power* to pass any other sentence than that of "*cashiering*," which it must therefore do, or stand a prosecution for passing an *illegal* sentence.

With regard to the second charge, the finding of the Court is in the face of the evidence, and I have directed the Judge Advocate General to point this out to the Court. With regard to the third charge, the Court has erroneously assumed that the crime was disposed of previously by competent authority. The Judge Advocate General will also explain this error to the Court, and that a refusal to pass sentence upon a criminal will expose the President and Members of the Court to the charge of disobedience of orders in refusing to do its duty; I therefore recommend the Court to read the 42nd Article of War.—*Head Quarters, Camp Peshawur, 7th February* 1850.

Revised Finding.—Guilty on all three charges.

Sentence.—To be cashiered.—*Approved and confirmed.*

Recommendation.—As it appears from the remarks of His Excellency the Commander in Chief, that there is no discretionary power as to the punishment in this case, the Court unanimously and respectfully beg leave to recommend the prisoner to the merciful consideration of the Commander in Chief, on the grounds of the weak state of health he was in when he committed the offences, his long service, and high character.

Remarks by His Excellency the Commander in Chief.—It is a matter of surprise to me that the

Court should recommend the prisoner to pardon! I must refer the Court to the charges against the prisoner, of which the Court have found him guilty, and I ask if a person guilty of such conduct can be described as an Officer of "*high character*," and pardoned upon such grounds? Certainly not, and I should do a gross injustice to the Company's service were I to pardon the prisoner.—*Head Quarters, Camp, 2nd March* 1850.

Lieutenant Robert Renny, 47th N. I.

Tried by General Court Martial at Cawnpore, 11th February 1850.

Charges.—1st. For direct and wilful disobedience of orders, dated 21st December 1820 and 30th December 1823, in being at the present time under pecuniary obligation for money borrowed from a Native Officer; he, Lieutenant Renny, having, at Benares, on or about the 15th of December 1843, borrowed of (the late) Mudaree Roy, Subadar of the 47th Regiment Native Infantry, the sum of five hundred Rupees, which sum at the present time remains unpaid.

2nd. For great disrespect to His Excellency the Commander in Chief, in having, at Cawnpore, between the 6th and 22nd of June 1849, repeated to several persons at the station, certain observations on the proceedings of a Court Martial which had been recently held at Cawnpore, which he stated to have been made to him by the Commander in Chief in person, and having represented those observations as a good joke, or in disrespectful terms to that effect.

Finding.—1st charge, Not Guilty; 2nd charge, Guilty, with the exception of the words "great disrespect to His Excellency the Commander in Chief."

Sentence.—To be reprimanded in such manner as His Excellency the Commander in Chief may be pleased to direct.—*Approved and confirmed,*—

Except that I cannot agree with the Court in thinking, that this gallant Officer has done any thing to demand a reprimand, and therefore I must decline giving him the slightest reprimand. On the contrary his trial has given me a very high opinion of him as an Officer.—*Head Quarters, Camp, 2nd March* 1850.

Private Joseph Mortimer, H. M. 3rd Light Dragoons.

Tried by General Court Martial at Umballah, 1st February 1850.

Charge.—Disgraceful conduct in the theft of property or the concealment thereof, knowing it to be stolen.

Finding.—Guilty.

Sentence.—Fifty lashes and six months' imprisonment.—*Approved and confirmed.—Head Quarters, Camp, 16th February* 1850.

Captain Christopher Hasell, 48th N. I.

Tried by General Court Martial at Secrole, Benares, 14th February 1850.

Charge.—For gross disobedience of orders, and disrespect to Major General J. Kennedy, C. B., unbecoming an Officer, and highly injurious to Military discipline, in the following instances:

1st. In having, at Benares, on the 12th of November 1849, being directed in Station Orders of the previous day to inspect and report on the state of the lines just vacated by the right wing of the Regiment, made a report different from that prescribed; and in having pertinaciously and litigiously refused to make the customary report on the lines, though repeatedly required to do so by Major General J. Kennedy, C. B., commanding the Benares Division, in letters from the Assistant Adjutant General, dated 13th, 20th and 21st of November 1849.

2nd. In having taken no notice of the Major General's order, conveyed to him, in the Assistant Adjutant General's letter, No. 361, dated 13th November 1849, to make the prescribed report, until reminded of it in a second letter, No. 371, dated 20th of the same month; and in having, in a letter to the Assistant Adjutant General, dated Benares, 22nd November 1849, expressed himself, respecting the required report, in terms very disrespectful to Major General J. Kennedy, C. B.

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowances for four months.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—The Court must have felt it painful to punish an old Officer of 16 years' service, so do I; but we feel it more painful to see unprovoked disrespect inflicted upon a much older and most respected Officer in the execution of his duty, and to see orders disobeyed and discipline insulted by a Captain in the service! Those who fancy that this army is a debating society, will find them-

selves egregiously mistaken.—*Camp, Korie, 9th March* 1850.

Omrao Sing, Sepoy, 5th N. I.

Tried by General Court Martial at Lahore, 8th March 1850.

Charge.—Having plundered Government treasure boxes placed under his charge, abstracting therefrom 238 half rupees.

Finding.—Guilty.

Sentence.—Imprisonment with hard labor for 14 years.—*Approved and confirmed.—Head Quarters, Camp,* 13*th March* 1850.

Leave to the Hills.

HEAD QUARTERS, CAMP, KORIE, 20TH MARCH 1850.

The number of applications from Officers for leave of absence obliges the Commander in Chief to make the following observations, beginning with the European Regiments:

1st. The European Private Soldier has the same constitution as the European Officer. He suffers equally from the effects of heat.

2nd. He has necessarily fewer comforts, and more discomforts than are experienced by the European Officer.

3rd. He has never any leave on "*urgent private affairs:*" be it hot or be it cold, he passes the year in his cantonment.

4th. On the other hand, the Officer has every comfort and every luxury that can diminish the discomfort of a hot climate; and the Commander in Chief cannot help thinking, that the known pride which British Officers take in sharing all dangers and deprivations with their Soldiers will induce the former to consider, that leaving their bro-

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ther Officers and their men to encounter the heat of summer while they are diverting themselves on "urgent private affairs" in the hills, is very like deserting their post from fear of climate.

The Commander in Chief himself does not go to Simla for pleasure, nor to avoid heat. He goes much against his will, because all the Head Quarters' establishments are located at Simla, and to move them is not practicable. Moreover the Commander in Chief can best serve the army by being near the Governor General. If Sir Charles Napier followed his own wishes, he would establish his Head Quarters at some one of the large stations, where he would be among the troops.

The Commander in Chief does not wish to prevent Officers having short leave for a month or two, which is quite long enough to settle any "urgent private affairs," that an Officer can have in India; neither does the Commander in Chief wish to prevent Officers having leave who are really ill, and whose medical men conscientiously believe that change of air is necessary. But he cannot allow the fear of climate, the love of pleasure, or the desire to escape from Regimental duty, to throw it on their hard working comrades; nor is it very encouraging to the Private Soldier to see his Officers scampering off to the hills the moment the heat begins. No one likes extreme heat, and therefore no one ought to shirk from it at the expense of others.

Holding these opinions the Commander in Chief must call on Commanding Officers to confine applications for leave to those who are delicate in health, and whom they know to require change of air. Let the rest share, with their men, the dangers and discomforts of the hot weather. Discipline will be thus sustained.

As to the Officers of the Native Regiments the case is different. Their presence is not required to cheer and give heart to their men. The Sepoy is at home, the heat is congenial to him, and he gets leave frequently. He has every indulgence that can be given to a Soldier. There is, therefore, no objection, on that score, to a Company's Officer having leave. But there are objections on other points. The European Officers are few in a Native Corps, and they cannot be spared from Regimental duty. The state of discipline is such as to demand every exertion in every Officer to bring it to that perfection which it ought to attain. It is idle to suppose that a Regiment is not to be kept in order during the hot weather. There cannot be as much drill as there is in cold weather; but there may be quite enough to keep a Regiment in the highest order; over doses at drill are not good at any time. It is a constant drill applied in some portions, and the constant instruction of Officers by their Commander that keep a Regiment in good order. Parades and drills, however short and slight, may go on before sunrise and after sunset. A single manœuvre performed daily, and with scrupulous exactness, will keep a Regiment in good order.

There is always plenty for old Officers to do, and for the young Officers to learn, at the Head Quarters of every Regiment, during the hottest weather; and this the Commander in Chief expects to be done by those who are in health.

His Excellency believes the mass of Officers to have a sincere zeal for the public service and great pride in their profession. All that the Indian army requires is that the senior Officers should instruct the junior.

In proportion as the number of Officers is limited, so must exertion increase.

Sir Charles Napier will therefore not allow the proportion of leave, granted by his predecessors to Officers in Queen's Regiments to be increased; this has been for the last 15 years as follows, reserving,

CAVALRY.	
2 Field Officers, ...	These are always to be present and fit for duty at Head Quarters.
4 Captains, ...	
14 Subalterns, ...	
INFANTRY.	
2 Field Officers, ...	
5 Captains, ...	
16 Subalterns, ...	

"Commanding Officers must satisfy themselves, in communication with the senior Medical Officer of the Regiment, that there is no probability of any subsequent application being made for others on Medical Certificate, that His Lordship may not be forced into the necessity of cancelling the leave previously granted to others on private affairs."

Such was the order of Lord William Bentinck, and Officers Commanding Regiments are answerable, that this full allowance of Officers shall be always at their Head Quarters.

Expedition against the Affredies.—Thanks from Government.

HEAD QUARTERS, CAMP, BAMINEEWALLAH, 21ST MARCH 1850.

His Excellency the Commander in Chief has much pleasure in communicating to Brigadier Sir Colin Campbell, K. C. B., and the Officers and men

engaged in the operations against the Affredies in the neighbourhood of Kohat, that he has been instructed by the Most Noble the Governor General of India in Council, to express to them the satisfaction of the Government, with the manner in which the outrage committed by these mountain tribes was met by the troops in the field, who so highly distinguished themselves throughout this service. And Sir Charles Napier has further been requested to convey to Sir Colin Campbell, the Commanding Officers, Officers and men the approbation of the Government of India, and their thanks for the service which has been performed.

Courts Martial.

Sergeant John Buttress, Sappers and Pioneers.

Tried by General Court Martial at Loodianah, 13th February 1850.

Charge.—Disgraceful conduct in the fraudulent misapplication of money.

Finding.—Guilty, except as to certain instances.

Sentence.—Reduction to the ranks, and stoppages to make good rupees 82 misapplied.—*Approved and confirmed.—Head Quarters, Camp, Lahore, 2nd March* 1850.

Gholam Mahomed Khan, Native Doctor, 7th N. I.

Tried by General Court Martial at Loodianah, 20th March 1850.

Charge.—Requiring and receiving pecuniary gratification from certain Sepoys for obtaining leave of absence for them on medical certificate.

Finding.—Guilty.

Sentence.—Dismissal from the service.—*Approved and confirmed.*—*Head Quarters, Camp, Lahore, 22nd March* 1850.

Taking Divisional and Brigade Orders.

HEAD QUARTERS, CAMP, LAHORE, 25TH MARCH 1850.

The Commanding Officer of a Queen's Regiment has applied to the Commander in Chief to allow the said Commanding Officer "to pay a Native writer out of the Canteen Fund," to go and take the daily orders at the quarters of the Brigade Major.

The Commander in Chief will allow of no such thing ; and he desires the Officer who made this extraordinary application to understand, that it is the duty of the Adjutant of the Regiment to take orders from the Brigade Major, and that duty is not to be delegated to any one, much less to a "Native writer."—Adjutants are responsible that orders are correctly taken by them from the Major of Brigade to the Commanding Officers of Regiments. Adjutants are always to attend personally for orders at the Brigade Major's quarters.—If an occasion arises that prevents an Adjutant from so attending at the Brigade Major's quarters, then it is the duty of the Orderly Officer to attend in place of the Adjutant; and His Excellency desires that

this rule of the Service may not be broken, as it is the only security for the due circulation of orders.

The Officer above alluded to states, that the distance is a mile and a quarter to the Brigade Major's Office, and that orders are issued in the hottest part of the day: The answer is plain—Adjutants are allowed Horses; and it is the duty of Generals of Divisions and Brigades to take care that their Assistant Adjutant Generals, and Majors of Brigade, have their Offices in convenient positions—that they issue the orders at proper hours—and not at mid-day during the hot weather.

The Commander in Chief must beg that Officers Commanding Divisions and Brigades will strictly maintain these ancient rules of Armies, and not suffer such a relaxation of discipline to be exhibited by Staff Officers and Commanders of Regiments as the above mentioned application evinces.

Leave on Private Affairs.

HEAD QUARTERS, CAMP, 27TH MARCH 1850.

In continuation of the Rules regarding leave of absence laid down in General Orders of the 20th instant, His Excellency the Commander in Chief is pleased to direct, that except under urgent circumstances, which are to be fully explained (confidentially if the applicant chooses), applications for leave on private affairs shall not be forwarded to

Head Quarters by the intermediate authorities, unless the proportion of Officers "present" is equal to one per troop or company, exclusive of Field Officers and Staff.

Courts Martial.

Shekh Madar Buksh, Subadar, 66th N. I.

Tried by General Court Martial at Govindgurh, 14th February 1850.

Charge.—For having, at Govindgurh, on or about 2nd February 1850, when on duty at the gate guard of the Fort, and being present at a mutiny of the Sepoys of the said guard, not used his utmost efforts to suppress the same.

Finding.—Guilty.

Sentence.—Dismissal from the service.

Recommendation.—The Court beg unanimously to recommend the prisoner to the mercy of His Excellency the Commander in Chief. Their recommendation is founded on the prisoner's length of service. The Court trusts he may not be, in his old age, entirely deprived of the benefits of a lengthened service.

I confirm the sentence, but wholly disapprove of it as inadequate to the crime. I reject the recommendation of the Court, with this caution to all Native Officers, that they shall do their duty or lose their commissions. This criminal had just before heard my order read about Runjeet Sing's dismissal. I repeat it to this army that mutineers shall have no mercy from me.—*Head Quarters, Camp, 24th February* 1850.

Gunga Singh, Jemadar, 66th N. I.

Tried by the same Court Martial, 16th February 1850.

Charges.—1st. For having, at Govindgurh, on or about 2nd February 1850, when being present and aware that the Sepoys of his company were mutinously arming and accoutring themselves, failed to give information thereof to his Commanding Officer.

2nd. For conduct unbecoming an Officer, in having, then and there falsely stated to Major H. Troup, commanding his Regiment, that he, Gunga Singh, Jemadar, was not aware that the Sepoys of the grenadier company were arming and accoutring themselves without orders.

Finding.—Guilty.

Sentence.—Dismissal from the service.

The sentence is inadequate to the crime.—*Head Quarters, Camp, 23rd February* 1850.

Revised Sentence.—Transportation for life.—*Approved and confirmed.*

Remarks.—I revised the former proceedings, because I thought that the sentence was too lenient. The present sentence I consider to be just; but I nevertheless commute it to dismissal and fourteen years' imprisonment, because no mutineer of the 66th Regiment has been punished with such severity as transportation; and as his crime was less than that of the men of the gate guard, I do not think it would be just that his punishment should be greater.—*Head Quarters, Camp, 14th March* 1850.

Lieutenant Thomas Latter, 67th N. I.

Tried by General Court Martial at Dinapore, 12th March 1850.

Charge.—For highly unbecoming conduct, in having, at Dinapore, on the 19th of December 1849, when Regimental Officer of the day, and visiting the Hospital guard of the Regiment, struck with a cane, and grossly abused Usdully Khan, Sepoy, of the same Regiment, who was sentry at the Hospial guard.

Finding.—Guilty, with the exception of the words "struck with a cane" and "grossly."

Sentence.—To be reprimanded in such manner as the Commander in Chief may direct.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—1st, When an Officer so forgets the sacred character of a sentry as to abuse the Soldier on his post, that Officer must be prepared to receive such punishment as the protection of sentries may demand.

Lieutenant Latter, without any just cause for such improper conduct, rode up to and abused Usdully Khan, Sepoy, when that Soldier was on sentry and pushed the Soldier's cap straight with a cane, which he, Lieutenant Latter, had in his hand; such treatment would have warranted the sentry to have kept Lieutenant Latter off with his bayonet! Lieutenant Latter must learn that sentries are not to be insulted. If a sentry deserves a reprimand, it is to be given in a proper manner

and not with a cane, nor with such language as Lieutenant Latter used, for which he is hereby reprimanded according to the sentence of the Court.

2nd. Brigadier General Young will order the foregoing reprimand to be translated into Hindoostanee and read at the head of the 67th Regiment Native Infantry, after which Lieutenant Latter is to return to his duty.—*Head Quarters, Camp, 27th March* 1850.

Bravery of Shaik Ghoolam Gouse, a Native Doctor.

The spirit of all armies is formed and raised by publishing the gallant deeds of its members. The following extract from Captain J. Coke's despatch, reporting the murder of Dr. Healy, near Kohat, exhibits the conduct of a young Native Doctor in so honorable a light that it gives the Commander in Chief pleasure in making it known :

"Doctor Healy had arrived within six miles of this place, when, on passing through some low jungle within a mile of the village of Togue, a party of Affredies, who were lying concealed in the jungle, rushed on him and cut him down, and made off to the hills immediately, not waiting to plunder his baggage. Mr. Healy was walking at the time with a Native Doctor, Shaik Ghoolam Gouse, lately appointed to the Regiment; two Sowars were also with Mr. Healy at the time.

The Native Doctor escaped, having shot the Affredie who attacked him, with his pistol, and then returned and carried off Mr. Healy to the village of Togue. This boy's conduct, a lad of 18 or 19, is deserving of much praise; he is the son of a Native Doctor, who with his brother were for many years Native Doctors in the 10th Regiment Native Infantry, and died with the Corps at Barrackpore."—*Head Quarters, Camp, 2nd April* 1850.

Courts Martial.

Private John Creane, H. M. 18th Foot.

Tried by General Court Martial at Meerut, 3rd May 1850.

Charges.—1st, Stabbing Private John Roache, with a bayonet, with intent to murder him; 2nd, Stabbing, as in 1st charge, with intent to do some grievous bodily harm.

Finding.—1st Charge, Not Guilty; 2nd Charge, Guilty.

Sentence.—Transportation for fifteen years.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I am surprised that the Court permitted the Deputy Judge Advocate to hold such dictatorial language as he did. In addressing the Court as prosecutor, he says, "I have to add, that if the "Court convict the prisoner under the 1st charge, "they should acquit him under the 2nd charge, "and *vice versâ*." This is the language of a learned Judge from the Bench instructing an igno-

rant jury, and not that which becomes a young Officer to a Court Martial, composed of Officers, the youngest Captain on which is ten years his senior in the service, and, probably, his superior in knowledge of military law, of which Captain and Brevet Major Wiggens has, in this trial, shewn himself to be very ignorant.

2nd.—In drawing up the proceedings of this trial, the President should not have allowed the Deputy Judge Advocate to have inserted "conducting the trial Major E. Wiggens, Officiating Deputy Judge Advocate General." The Deputy Judge Advocate General does not conduct a trial. The Articles of War expressly charge the President of the Court with all the duties and details of conducting the trial; he is to make the Members take their seats according to their rank; he clears and re-opens the Court when necessary; he preserves order; he collects the votes; no questions are put but through him and by his permission, or by that of the Court.—The Judge Advocate cannot interfere with any thing of his own authority in the proceedings of a Court Martial, for which the President and the Members are alone responsible.—*Head Quarters*, 16*th May* 1850.

Captain Hugh John Houstoun, 2nd European Regiment.

Tried by General Court Martial at Agra, 27th March 1850.

Charge.—Unbecoming conduct. 1st, In having on groundless and frivolous pretences, evaded payment of a just debt due to the Mess, 1st European Bengal Fusiliers; 2nd, In having in certain correspondence, made use of very indecorous language, disrespectful to Major Ripley and Lieutenant Colonel Birrell.

Finding.—1st instance, Guilty; 2nd instance, Guilty, except as to Lieutenant Birrell.

Sentence.—Loss of one step.—*Approved and confirmed.*—*Head Quarters, Camp, 12th April* 1850.

Private Michael Sweeney, H. M. 70th Foot.

Tried by General Court Martial at Fort William, 15th April 1850.

Charges.—1st, Being drunk in Barracks at tattoo; 2nd, Having struck a Lance Sergeant, and used violent and mutinous language.

Finding.—Guilty.

Sentence.—Imprisonment for one year, with solitary confinement for the last fourteen days of the 4th, 8th and 12th months.—*Approved and confirmed.*—*Head Quarters, 30th April* 1850.

Private Aaron Fallows, H. M. 70th Foot.

Tried by Court Martial the same day.

Charge.—Using threatening language regarding two Sergeants of the Regiment.

Finding.—Guilty.

Sentence.—Imprisonment for two years.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—I do not revise the proceedings because of the delay in the execution of justice which a revi-

sion would occasion, but I think the sentence too severe for what (like all such idle threats,) I call a mere ebullition of ill temper, but still deserving of punishment; I therefore remit a year and a half of the sentence.—*Head Quarters, 30th April* 1850.

Barrack Accommodation.

The following Orders are issued for the guidance of General Officers commanding Divisions and Officers commanding Regiments, Troops and Companies, who will be held responsible for a strict obedience to the same.

1. The practice of allowing married families to occupy verandahs, while single men occupy the centre rooms, is prohibited.

2. Where there are no separate barracks or other buildings for the accommodation of married men, one barrack, or a portion of a barrack, estimated as below, should be partitioned off for them.

3. It is not the amount of space in *square*, but in *cubic* feet, that should form the basis of all calculations for the number of people to be accommodated in barracks. This allowance should be, at the lowest calculation, 1,000 cubic feet of air for every man, woman and child; and is to be calculated from the length, breadth and height of each barrack room, exclusive of verandahs. No allowance is to be made for men absent on guard, or in hospital, or on detachment; but the calculation is to be made on the full effective strength.

4. If the barracks do not admit of the above quantity of air for each individual, application should be made to

Government, through the Commander in Chief, for additional barracks.—*Head Quarters, Simla, 6th May* 1850.

Resignation of Lieutenant Colonel P. Grant, Adjutant General.

In publishing the resignation of Lieutenant Colonel Grant, Sir C. Napier has great pleasure in expressing his high opinion of that Officer's abilities, and in acknowledging the assistance, which, as Commander in Chief, he has received from the Adjutant General, during the short period that he, Sir Charles, has had the honor to command the Armies of India. It is due to Lieutenant Colonel Grant, that when resigning the high appointment, of which he so honorably discharged the duties, he should receive this public acknowledgment of distinguished services;—services that could have been much better described by that Nobleman, the late Commander in Chief, under whose orders Lieutenant Colonel Grant so long and so gallantly fought, in whose glories he bore so conspicuous a part, and whose full confidence he is well known to have possessed!—*Head Quarters, Simla, 7th May* 1850.

Courts Martial.

Captain C. G. Fagan, 8th Light Cavalry, Deputy Pay Master, Benares Circle.

Tried by General Court Martial, at Secrole, Benares, 22nd March 1850.

Charges.—For conduct highly unbecoming an Officer and a Gentleman, in having in a letter to Assistant Surgeon Edward Edlin, M. D., dated Benares, February 23rd 1849, and calculated to deceive and injure Assistant Surgeon Edward Edlin, falsely represented to him the state of the affairs of the Benares Bank, he, Captain Fagan, being at

the time intimately connected with the direction of the Bank, and well acquainted with its affairs, and having purchased for Assistant Surgeon Edlin a large number of shares in the Bank, and held his proxy as a shareholder; Captain Fagan having in the said letter falsely declared his perfect satisfaction in the then existing securities for the Bank's well doing, his readiness to vouch for the truth of all the contents of a report then recently issued by the Directors of the Bank, and falsely stated his "high opinion" of their Secretary; whereas he, Captain Fagan, knew that the Bank was very far from doing well; had cancelled recently about four-fifths of his own stake and responsibility in the Bank on terms unjust to the shareholders at large; and had, a few days previous to the date of his letter to Assistant Surgeon Edlin, written to the Directors of the Bank to the effect that he saw it was their intention to embark in objectionable business, and the said report of the Directors did not correctly describe the state of the capital of the Bank; and he, Captain Fagan, did, shortly after writing his letter to Assistant Surgeon Edlin, concur in the dismissal of the Bank's Secretary for alleged incompetency.

Additional charge.—For conduct highly unbecoming the character of an Officer and a Gentleman, in the following instances:

1st. In having, at Benares, between the 16th of February 1848 and the 21st of February 1849, he being at the time a Director of the Benares Bank, in concert with other Directors of that institution, put forth one or more false reports of the state of the Bank, and thereby deceived the shareholders.

2nd. In having, at Benares, during the month of August 1848, assumed an improper influence in the management of the affairs of the Benares Bank, by having voted as the

holder of about 112 shares, notwithstanding that he had not paid for the same, and well knew that he had no right to vote upon them.

3rd. In having, at Benares, during the month of December 1848, cancelled at their par value about 133 shares in the Benares Bank, held by himself, notwithstanding that the market value of the said shares was at the rate of about 25 to 30 per cent. discount, thereby causing injury to the shareholders at large and gaining himself an unfair advantage.

Finding,—The Court having maturely weighed and considered the evidence brought forward in support of the prosecution, together with that adduced on the defence, is of opinion, that the prisoner Captain Christopher George Fagan, of the 8th Regiment of Light Cavalry, and Deputy Pay Master, Benares Circle, is guilty of the first charge, with the exception of the words "injure," "and falsely, stated his high opinion of their Secretary," "and responsibility in the Bank on terms unjust to the shareholders at large," "he saw it was their intention to embark in objectionable business," "and he, Captain Fagan, did, shortly after writing his letter to Assistant Surgeon Edlin, concur in the dismissal of the Bank's Secretary for alleged incompetency," of which the Court acquit him.

Guilty of the first instance of the additional charge.

Guilty of the second instance of the additional charge.

Not guilty of the third instance of the additional charge, of which the Court acquit him.

Guilty of the preamble of the additional charge.

Sentence.—To be cashiered.—*Approved and confirmed.*

Recommendation.—The Court having awarded a sentence which they deem adequate to the offences of which they have found the prisoner guilty, do now most earnestly re-

commend him to the clemency of His Excellency the Commander in Chief, on the grounds of the very high character he, Captain Fagan, has borne during his service of 22 years.

Remarks by His Excellency the Commander in Chief.—The Court have convicted the prisoner of falsehood and deceit in his dealings with a brother Officer, who seems to have confided in him, yet eleven members of the Court recommend the prisoner to mercy "on the grounds of high character;" such recommendations add much to the pain of those whose duty it is to inflict punishment, but I must decline complying with the request of those members who concur in this recommendation. When violence of temper, error in judgment, or the thoughtlessness of youth, lead men into culpable conduct, their high character bears great and honourable weight, excusing human frailty. High character is also justly appealed to when concurring circumstances cast suspicion on yet unblemished reputation; but when the charge is dishonour, and that dishonour proved, former high character vanishes and is nothing!—*Head Quarters, 6th May* 1850.

Surgeon Donald Butter, M. D.

Tried by the same Court Martial 12th April 1850.

Charge.—For conduct highly unbecoming the character of an Officer and a Gentleman in the following instances:

1st. In having, at Benares, between the 15th February 1848, and the 21st February 1849, he being at the time a Director of the Benares Bank, in concert with other Directors of that institution, put forth one or more false reports of the state of the Bank, and thereby deceived the shareholders.

2nd. In having, at Benares, during the month of August 1848, assumed an improper influence in the management of the affairs of the Benares Bank, by having voted as the holder of about 700 shares, notwithstanding that he had not paid for the same, and well knew that he had no right to vote upon them.

3rd. In having, at Benares, during the month of December 1848, cancelled at their par value about 344 shares in the Benares Bank, held by himself, notwithstanding that the market value of the said shares was at the rate of about 25 to 30 per cent. discount, thereby causing injury to the shareholders at large, and gaining himself an unfair advantage.

Finding.—Guilty, with the exception of the words in 3rd instance "during the month of December 1848," the Court finding that the shares were cancelled on 15th January 1849 with effect from 1st August 1848.

Sentence.—To be cashiered.—*Approved and confirmed.*

Recommendation.—The Court having performed their painful duty in awarding a punishment they deem adequate to the offences of which they have found the prisoner guilty, do now earnestly recommend him to the clemency of His Excellency the Commander in Chief, on the grounds of long service and previous high character.

Remarks by His Excellency the Commander in Chief.—With regard to the recommendation to

clemency, I must refer the Court to my remarks on Captain Fagan's Court Martial.—*Head Quarters, 6th May* 1850.

Private James Young, H. M. 80th Foot.

Tried by General Court Martial at Dinapore, 22nd April 1850.

Charges.—1st, Absence without leave; 2nd, Stealing from a pay sergeant the sum of Rupees 550.

Finding.—Guilty.

Sentence.—Fifty lashes; two years imprisonment; forfeiture of all claim to pension, &c. and the Court recommends dismissal with ignominy.—*Approved and confirmed.—Head Quarters, 4th May* 1850.

Gunner Charles Field, 1st Company, 3rd Battalion Artillery.

Tried by General Court Martial at Dum-Dum, 4th April 1850.

Charges.—1st, Being drunk on sentry duty; 2nd, Having at the same time left his post before being regularly relieved.

Finding.—Guilty.

Sentence.—Imprisonment for twelve months.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—The crime of the prisoner is very great, but as he is a very young Soldier and that there are no previous convictions recorded against him, and moreover that, owing to the great scarcity of Artillery Officers, there was not one available to

speak to the prisoner's general character, I will suppose it to be good, and remit half the punishment to which he has been sentenced, in the hope that my leniency may make him a better Soldier in future.—*Head Quarters, 5th April* 1850.

Returns and Reports from Medical Officers.

HEAD QUARTERS, SIMLA, 9TH MAY 1850.

The attention of the Commander in Chief has been drawn to the extreme remissness exhibited by certain Medical Officers whose duty it is to prepare Returns and other documents, including the names of Native Doctors forming a portion of the Medical Establishment of this Army. The disregard of the reiterated instructions published on the subject is highly reprehensible, and is the cause of great inconvenience and unnecessary labour in the departments both of the Adjutant General of the Army and of the Military Auditor General.

His Excellency desires to express his displeasure at the culpable negligence of the parties concerned, and to warn them that, in future, all documents of the nature referred to, received in the Adjutant General's Department, in which the errors adverted to may be detected, will be returned to the sender "bearing postage;" and those received in the Audit Department will be returned in a similar manner, any disbursements that may have been made on such documents being immediately retrenched from the drawer.

The principal errors, that have attracted attention, are:

1. Not adhering strictly to the appellation under which the Native Doctors are admitted into the service; abbreviating the designation, or altering the orthography.

2. Omission, or incorrect entry, of the dates of admission into the service.

3. Omitting to note opposite the names of parties, "N. M. C." or "M. C.," indicative of their having been educated in the late Native Medical Institution, or in the Medical College.

4. In claiming additional pay for length of service, &c. for parties not educated at either of the above institutions, and omitting to quote the authority under which it has been granted.

5. Omission of dates and places of muster.

6. Omitting to enter casualties under the head of "non-effective since last muster," &c. &c. &c.

Gunners John Hynes, James Weeks, and James Fardy, 3rd Company, 2nd Battalion Artillery.

Tried by General Court Martial at Lahore, 22nd March 1850.

Charges.—1st. Stealing valuable property belonging to the British Government from the Tosha Khanah or State Wardrobe and Jewel-house at Lahore; 2nd. Setting fire to the Tosha Khanah.

Finding.—Guilty, except that Gunner James Fardy is acquitted on the charge of setting fire to the Tosha Khanah.

Sentence.—Gunners John Hynes and James Weeks, transportation for seven years; Gunner James Fardy imprisonment in the Fort of Agra, for 18 months, with solitary confinement for the first fourteen days of the 5th, 7th, 10th, 13th, 16th and 18th months.—*Approved and confirmed.—Head Quarters, 6th May* 1850.

Gunner Patrick Power, 1st Company, 5th Battalion Artillery.

Tried by the same Court Martial, 4th April 1849.

Charge.—Having in his possession a powder flask, the property of the British Government, well knowing it to have been stolen.

Finding.—Not Guilty.—*Approved and confirmed.*—*Head Quarters, 8th May* 1850.

Corporal John Hogan, 3rd Company, 2nd Battalion Artillery.

Tried by the same Court Martial, 10th April 1850.

Charge.—Receiving and possessing three stolen gown pieces, the property of the British Government.

Finding.—Not Guilty.—*Approved and confirmed.*—*Head Quarters, 8th May* 1850.

Gunner Patrick Gaffnay, 1st Troop, 3rd Brigade Horse Artillery.

Tried by the same Court Martial, 13th April 1850.

Charge.—Receiving and possessing three gold scent bottles, the property of the British Government, well knowing them to have been feloniously stolen.

Finding.—Not Guilty.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—Although I have approved and confirmed the finding and acquittal of the prisoner on the evidence before the Court, I have very great doubts of his innocence.—*Head Quarters, 8th May* 1850.

Private Thomas Banks, H. M. 75th Foot.

Tried by General Court Martial at Umballah, 26th March 1850.

Charge.—For having, at Umballah, on the 31st of January 1850, killed and murdered Sookah Ram Sepoy, 15th Regiment of Native Infantry, by discharging at him a musket loaded with gunpowder and ball, and thereby inflicting a mortal wound on the left side of the abdomen of the said Sookah Ram, whereof he died on the same day.

Finding.—Guilty with the exception of the words " and murdered."

Sentence.—The Court having found the prisoner guilty to the extent above recorded, abstain from awarding any sentence, under Section LVIII. of 9 George IV., Cap. 74.

Revised.—I cannot understand how a man can be acquitted of murder, who quits his barracks at night without leave, and against all orders, takes with him his musket loaded, and his bayonet fixed, and while thus breaking through all discipline shoots a Sentry dead, who was on his post and doing his duty. I must hope that the Court will consider the necessity of protecting Sentries from being murdered on their posts : if the Court adheres to its finding, I really much fear it will have the natural effect of making Sepoy Sentries very summary in their proceedings, if an armed European Soldier approaches their posts at night !

2nd. But whether the Court may deem it proper to alter its finding or confirm it, I must insist upon its pronouncing *a sentence*, whatever that

sentence may be, and not excuse itself from doing its duty by quoting ancient Acts of ancient Kings, with which neither the Court nor the Commander in Chief have any concern whatever. The President and Members are to act under their OATH. They swear to do justice according to the Rules and Articles for the Government of Her Majesty's forces, and if any doubt shall arise which is not explained by the said Act and Articles of War, then according to their consciences, the best of their understanding, and the custom of War in like cases. There is nothing in this oath which refers the Members to be guided by Law books or Laws enacted by former Sovereigns, but the reverse. The Court has the Mutiny Act and Articles of War given to it by Her Majesty, and I call upon the President and Members to pass a sentence upon the prisoner according to their oath and the Articles of War, or refuse to do so at their peril. The Court has nothing to do with any other Act of Parliament.—*Head Quarters, Camp, 7th April* 1850.

Revised Finding.—The Court, having carefully read and taken into consideration the remarks of His Excellency the Commander in Chief, are of opinion, that the prisoner Private Thomas Banks, No. 2820, of Her Majesty's 75th Regiment, did kill Sookah Ram, Sepoy, at the time and place stated in the charge, but that he did not murder him, and they acquit the prisoner accordingly; and that, as the prisoner is not charged with having "*feloniously*" killed

Sookah Ram, Sepoy, the Court consider themselves precluded from awarding any punishment for the following reasons:—

The Court respectfully submit for the consideration of His Excellency the Commander in Chief, that under the 131st Article of War no doubt exists in their minds as to their powers, for by that Article of War they are bound to proceed in conformity with the Common and Statute Law of England in all trials for non-military offences; that the Statute 9, George IV. Chapter 74 is the law applicable to the case of Private Banks; that the Adjutant General's Circular, dated the 15th June 1829, expressly called the attention of the Army to that Statute; and that copies of it having been supplied by the Supreme Government of India for use at General Courts Martial, have so been in use for 20 years.

The Court further respectfully submit that in no part of the Mutiny Act for Her Majesty's forces is the crime of homicide provided for, and that the 131st Article of War, in authorizing General Courts Martial to take cognizance of the crime, restricts their powers to the criminal law of England.—*Disapproved.*

Remarks by His Excellency the Commander in Chief.—The Court has acquitted the prisoner. The President and Members have, I must suppose, decided "according to their consciences and the best of their understanding." The prisoner quitted his barrack at an unlawful hour, in a dark night, taking with him his arms and ammunition; he wounded one Native Sentry, and he killed another.

This was "*an offence which, if committed in England, would be Felony*," and it comes under cognizance of the 131st Article of War.

The precise terms in which the charge should be couched are nowhere dictated, either in the Mutiny Act or in the Articles of War, or in any regulation whatever. It is therefore sufficient for a Court Martial that the accusation or charge be made clear and distinct to the Court, and that the crime be one which, "*in England would be Felony*," that is to say, malicious, wicked, malign ; but it is not even necessary, according to the 131st Article of War, that the crime should be Felony.

Now the understanding of the Court must be exceedingly limited, if it required an Attorney to explain to it, that the killing of one Sentry and stabbing of another Sentry by a Soldier, who issues from his barrack in a dark night, contrary to orders, and fully armed, "*would be Felony in England.*"

If the President and Members of the Court conscientiously believed the prisoner to be innocent, (which belief would be incredible if they had not themselves recorded the extraordinary fact) they were right to acquit the prisoner. But, unless they were so convinced, they have deliberately erred, and have broken the 131st Article of War, in not convicting the prisoner of murder, for that Article does not say that the prisoner is to be

charged with having "feloniously" committed a crime, but who shall be accused of any offence, "*which, if committed in England, would be Felony*," and it goes on to say, "*or of having committed any offence against the person or property of any of our subjects*," &c. This (whether felonious or not felonious) does away with the necessity for using the word felonious or other legal technicalities, in forming a military charge against a Soldier brought before a Military Court.

I will here quote the words of a high legal functionary at Calcutta, expressed on this very case. "Charges affecting the life of another cannot be "framed with too much particularity, but it does "not follow, neither is it desirable, that they "should be framed with the precise technicality "of an indictment. All that is essential in a charge "is, that the prisoner and the Court should be dis- "tinctly informed of the nature of the offence, for "which the prisoner is to be tried. In the present "case" (of Private Banks) "as the altered charge "contains the word *murder*, I am of opinion, that "the accused can be convicted and sentenced for "murder, under such altered charge." To be sure he could, and the Court has been misled by quibbles instead of being guided by the Articles of War and plain sense.

I am quite at a loss to discover why the Court refers to the Adjutant General's Circular, dated

15th June 1829 ? That Circular was issued by order of the Commander in Chief to warn the European Private Soldiers, that a change had been made in the law of the land, and that a man who wounded another could, by that change, now be hanged, whether the wounded man lived or died. What then has this Circular to do with the present case, where a Sentry was shot dead ? What had the Court to do with this Circular ? Nothing whatever, and a reference to it by the Court was calculated to pervert the course of justice, by making a delusive use of that Circular.

I therefore, publicly, express my disapprobation of this improper introduction of irrelevant matter. It was the special duty of Lieutenant Colonel Horsford, as President of the Court, to have prevented the insertion of this absurd reference in the proceedings, which he ex-officio conducted.

These quibbles appear to me to be unworthy of Officers forming a Court of honor and of equity, and sworn to judge according to their consciences and the custom of war ; they are calculated to injure the discipline of the Army ; they afford protection to crime !

The result of the Court's finding and sentence is, that the prisoner, who quitted his quarters at an illegal hour, in a dark night, taking with him his arms loaded and prepared for mischief, who wounded one Sentry and slew another, is to return

to the ranks an absolved man, because the unnecessary word "*felonious*" was not inserted in the charge on which he was tried. Thus the integrity of discipline remains unvindicated.—*Head Quarters, 27th April* 1850.

Goordial Sing, Sepoy, 60 *N. I.*

Tried by General Court Martial at Cawnpore, 26th March 1850.

Charge.—For having, at Somnagunge, on the 8th of February 1850, in front of the Regiment on parade, used violence against his superior Officer Khoosial Khan, Subadar of the same Regiment, in having assaulted him with fixed bayonet, and wounded him on the chest, with the intention of murdering him.

Finding.—Guilty.

Sentence.—Transportation for seven years.

Revised.—If armed Soldiers are to step out of the ranks and thrust their bayonets into their Officers, or any one whom it may please them to treat in this manner, there is an end of discipline. I certainly think that seven years' transportation is a very inadequate punishment for this unprovoked and deliberate attempt to murder his Subadar.—*Head Quarters, Camp, 11th April* 1850.

Revised Sentence.—Transportation for life.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I commute the sentence to twenty-one

years' transportation, on account of the prisoner's former good character.—*Head Quarters, Simla, 16th May* 1850.

Needha Sing, Jemadar, 41st N. I.

Charges.—1st, Borrowing Rs. 35 from a Sepoy of the Regiment; 2nd, Borrowing Rs. 20 from another Sepoy of the Regiment.

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowances for one month.

Revised.—Because I think the punishment inadequate to so great a disobedience of orders.—*Head Quarters, 4th May* 1850.

Revised Sentence.—Suspension from rank, pay and allowances for four months.—*Approved and confirmed.*—*Head Quarters, 19th May* 1850.

Gunners Patrick Collins and John Hynes, 3rd Company, 2nd Battalion Artillery.

Tried by General Court Martial at Lahore, 7th April 1850.

Charge.—Having stolen from the Tosha Khanah, or State wardrobe and jewel house at Lahore, two gowns and parts of four gowns, value eight rupees or thereabouts, the property of the British Government.

Finding.—Patrick Collins, Not Guilty; John Hynes, Guilty.

Sentence.—On Gunner John Hynes.—Transportation for three years.

Revised.—That the Court may direct the sentence on Gunner John Hynes, to commence from the expiration of his former sentence of seven (7) years' transportation, in which the lesser sentence will otherwise merge.

See 37 Section Mutiny Act for Company's European Troops. (Sd.) C. J. N.

Revised Sentence.—Transportation for three years to commence at the expiration of any sentence of transportation which may have already been awarded against him.—*Approved and confirmed.—Head Quarters, 18th May* 1850.

Private John Creane, H. M. 18th Foot.

Tried by General Court Martial at Meerut, 3rd May 1850.

Charges.—1st, Having with a bayonet stabbed Private John Roache, same Regiment, with intent to murder; 2nd, Stabbing, as in 1st charge, with intent to do some grievous bodily harm.

Finding.—1st Charge, Not Guilty; 2nd Charge, Guilty.

Sentence.—Transportation for fifteen years.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I am surprised that the Court permitted the Deputy Judge Advocate to hold such dictatorial language as he did. In addressing the Court as Prosecutor, he says, "I have to add, that if the "Court convict the prisoner under the 1st charge, "they should acquit him under the 2nd charge, "and vice versa." This is the language of a

learned Judge from the Bench instructing an ignorant Jury, and not that which becomes a young Officer to a Court Martial, composed of Officers, the youngest Captain on which is ten years his senior in the service, and, probably, his superior in knowledge of Military law, of which Captain and Brevet Major Wiggens has, in this trial, shewn himself to be very ignorant.

2nd. In drawing up the proceedings of this trial, the President should not have allowed the Deputy Judge Advocate to have inserted "conducting the trial, Major E. Wiggens, officiating Deputy Judge Advocate General." The Deputy Judge Advocate General does not conduct a trial. The Articles of War expressly charge the President of the Court with all the duties and details of conducting the trial; he is to make the Members take their seats according to their rank; he clears and re-opens the Court when necessary; he preserves order; he collects the votes; no questions are put but through him and by his permission, or by that of the Court. The Judge Advocate cannot interfere with any thing of his own authority in the proceedings of a Court Martial, for which the President and Members are alone responsible.—*Head Quarters, 16th May* 1850.

Promotion Rolls.

HEAD QUARTERS, SIMLA, 6TH JUNE 1850.

Notwithstanding the repeated orders that have been issued regarding the necessity for all documents sent to Head Quarters being complete in themselves, without referring to any other source for their elucidation, several of the rolls of Native Officers and non-Commissioned Officers recommended for promotion, recently received in the Adjutant General's office, contain the names of individuals proposed to be passed over, with no other information concerning them than the remark, "passed over before," or "frequently passed over before," observations in themselves wholly unintelligible, and oftentimes calling for troublesome search to discover when and for what reason the parties so adverted to had been considered unfit for further advancement. The attention of Commanding Officers is now called to the General Order, dated 6th November 1813, which requires that the cases of such men shall be fully explained, and reference to rolls previously furnished thereby avoided.

G. O. 9th Sept. 1843.
„ 11th Dec. 1843.
„ 13th Oct. 1848.

Carroll's Code, Cap. LVIII, Sec. 81.

No promotion rolls, in room of men invalided, are, in future, to be forwarded for submission to His Excellency, until the General Orders transferring the parties to the Invalid Establishment, who occasion the vacancies required to be filled up, shall have been published; and when the seniors of the different grades are recommended for advancement, the insertion of additional names in the rolls, as is now sometimes done, is quite unnecessary, and not to be permitted.

Some of the non-commissioned Officers at present holding situations in the Commissariat department having been

found very deficient in the qualifications necessary to fit them for the correct discharge of the duties of their several situations, the Commander in Chief desires that all men whose names have either been entered on the list of candidates for such situations, or who may hereafter apply to be placed there, shall obtain from the nearest Commissariat Officer a certificate of their fitness for the duties of the appointment they apply for, particularly as regards their knowledge of the Native languages, and their ability to read and write and keep accounts; without such certificate no non-commissioned Officer or Soldier will in future be appointed a Cattle Sergeant or to the Commissariat department.

Courts Martial.

Juswunt Sing, Subadar, 1st Seikh Local Infantry.

Tried by General Court Martial at Hosheyarpore, 31st May 1850.

Charge.—Being drunk on parade.

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowances for three months.—*Approved and confirmed.—Head Quarters, 5th June* 1850.

Private Michael Hughes, H. M. 32nd Foot.

Tried by General Court Martial at Jullunder, 20th May 1850.

Charges.—1st, Habitual drunkenness; 2nd, Having when a prisoner for the offence stated in the first charge rushed past the sentry and struck Sergeant James Lees, a violent blow on the face.

Sentence.—Imprisonment for two years; and to be put under stoppages of a penny a day for two years.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—The prisoner is a very young man, and his character has been good, but his Captain complains that for some months past he has been addicted to drunkenness, and this has ended, as might be expected, in his having committed a great military crime. Had the prisoner been an old Soldier, I would not have remitted one hour of his imprisonment, but as he is so young a man, I will leave him in the hands of Lieutenant Colonel Markham to remit any portion of the punishment he pleases ; and I am sure that Sergeant James Lees will willingly pardon this young vagabond the insult which he offered to him. The prisoner is to be kept in strict confinement with the Regiment until Colonel Markham returns, as that Officer signed the order for his confinement. I have given Lieutenant Colonel Markham the opportunity of remitting the punishment of this young Soldier for two reasons : first, his Lieutenant Colonel and Captain are better able to judge from the offender's character whether there is any chance of reclaiming him from the infamous course of drinking, which he has lately fallen into ; and secondly, because the good conduct of the 32nd Regiment is such that there is no want of any severe example in that excellent Regiment.—*Head Quarters, 1st June* 1850.

Lieutenant E. O. Bradford, Artillery.

Tried by General Court Martial at Umballah, 23rd May 1850.

Charges.—For conduct highly unbecoming an Officer and a Gentleman, in the following instances:

1st. In having, at or near Calcutta, on or about the 8th of December 1846, failed to redeem his promissory note for 800 Rupees, dated Dum-Dum, 5th August 1846, and endorsed by Lieutenant Walter Delane and (the late) Lieutenant Graham, of Artillery: and having by such failure, imposed upon the endorsers of the note the necessity of paying the amount to Messrs. Allan and Thomas, Attornies for the Cawnpore Bank, who had negotiated the promissory note.

2nd. In having, at Umballah, dishonorably, and without the consent of Syed Ahmed, Arab horse dealer, to whom, in payment of a debt of 1,700 Rupees, he had given an order on the Pay department, dated Cawnpore, 12th June 1849, for monthly deductions of 100 Rupees from his pay and allowances, and without the consent of the Secretary of the North-Western Bank of India, to whom the said order had been sold by Syed Ahmed, in a letter dated the 28th of August 1849, countermanded the said deductions in full, and directed in lieu thereof, that 50 Rupees monthly only should be paid in liquidation of the said debt; and further, in having, at the same place, in two letters, one written on or about the 12th of December, and the other dated the 15th of December 1849, dishonorably directed the discontinuance of any payment under the substituted order referred to.

Finding.—1st charge, Guilty; 2nd charge, Guilty, except as to the words "in a letter, dated the 28th of August 1849, countermanded the said deduction in full and directed in lieu

thereof that 50 Rupees monthly should be paid in liquidation of the said debt."

Sentence.—Dismissal from the service.—*Approved and confirmed.—Head Quarters, 5th June* 1850.

Private George Webb, H. M. 10th Foot.

Tried by General Court Martial at Fort William, 28th May 1850.

Charges.—1st, Being drunk when brought into Fort William, at or about tattoo; 2nd, Outrageous and insubordinate conduct, having when in the congee house for the offence set forth in the first charge, struck Sergeant John Fermoyle, of the congee house guard.

Finding.—Guilty.

Sentence.—Transportation for seven years.—*Approved and confirmed.—Head Quarters, 8th June* 1850.

Private George Carter, H. M. 70th Foot.

Tried by the same Court Martial, on the same day.

Charges.—1st. For highly insubordinate conduct, on the 12th April 1850, when a prisoner in the congee house, Fort William, under sentence of a Court Martial for a former offence, in having said to Sergeant John Hall, the Provost Sergeant, with reference to Lieutenant Pilling, the Officer in charge of his (the prisoner's) company, " Damn Mr. Pilling, if he does not take care of himself, when I come out of confinement, I will break his bloody head," or used words to that effect.

2nd. For having, when brought a prisoner to the Orderly Room, on the morning of the 15th April 1850, for the offence set forth in the first charge, thrown his forage cap at the table where Lieutenant Colonel Galloway, his Commanding Officer, was sitting, saying, take that, that he did

not care if he was flogged or transported, or used words to that effect; such conduct being outrageous and subversive of good order and military discipline.

Finding.—Guilty.

Sentence.—Imprisonment for two years.—*Approved and confirmed.—Head Quarters, 6th June* 1850.

Private Patrick McClennand, H. M. 18*th Foot.*

Tried by General Court Martial at Meerut, 27th May 1850.

Charges.—1st, Stealing a pair of ammunition boots; 2nd, Repeated use of threatening language to Corporal Francis Hughes, in saying that whenever he came out of confinement "he would dirty his firelock to take his (Corporal Hughes') life," or words to that effect.

Finding.—Guilty.

Sentence.—(Previous convictions and general very bad character) Fifty lashes; imprisonment for one year; forfeiture of all claim to pension and additional good conduct pay; and the Court recommends that the prisoner be discharged from Her Majesty's service with ignominy.—*Approved and confirmed.—Head Quarters, 8th June* 1850.

Private Charles Blake, H. M. 18*th Foot.*

Tried by the same Court Martial, 28th May 1850.

Charge.—Disgraceful conduct, in stealing four bottles of Beer from the premises of Lieutenant Colonel Ponsonby.

Finding.—Guilty.

Sentence.—(Previous convictions and general very bad character) Fifty lashes; imprisonment for one year; forfeiture of claims; and discharge with ignominy recommended.—*Approved and confirmed.—Head Quarters, 8th June* 1850.

First Lieutenant George Holland, Artillery.

Tried by General Court Martial, at Peshawur, 31st May 1850.

Charge.—For conduct unbecoming an Officer and a Gentleman, in having, at Peshawur, up to the present date, 22nd of March 1850, neglected to liquidate his debt to the Mess of the 57th Regiment Native Infantry, amounting to 540 Rupees, incurred at Saugor in the years 1844 and 1845, although in a letter, dated Subathoo 2nd of May 1848, to the address of the Mess President of that Regiment, he had declared that he had entered into arrangements for the speedy liquidation of the same, and in having taken no notice of letters dated respectively 16th November 1849, 6th of January 1850, and 28th of January 1850, addressed to him by the Officer commanding the 2nd company 4th battalion Artillery, his immediate Commanding Officer, calling upon him for payment of the debt, or an explanation of his conduct.

Finding.—Guilty.

Sentence.—Loss of twenty-five steps.—*Approved and confirmed.—Head Quarters, 16th June* 1850.

Yussuff Ally, Resaidar, 16th Irregular Cavalry.

Tried by General Court Martial, at Rawul Pindee, 30th May 1850.

Charge.—For conduct highly unbecoming a Native Officer, in the following instances:

1st. In having, at Rawul Pindee, on or about the 25th of March 1850, falsely complained to Lieutenant Smith, 16th Irregular Cavalry, that Jemadar Bucktour Sing, the Woordie Major of the Regiment, had instigated the men of the troop under his, Yussuff Ally, Resaidar's command, to

disobey his orders; and that the Woordie Major threw impediments in the way of his properly performing his duty.

2nd. In having, at Rawul Pindee, at the festival of the Buckree Eed, on or about the 28th October 1849, wantonly and intentionally insulted the religious prejudices of the Woordie Major, Bucktour Sing, by killing one or more cows in, or in the immediate vicinity of, the lines of the Regiment.

3rd. In having, at Rawul Pindee, on or about the 2nd and 4th August 1849, caused Niamutyar Khan, Sowar, of the third troop of the same Regiment, to sing in the lines, in presence of several persons, a song, in which very disrespectful allusions were made to the Commanding Officer of the Regiment, and to the Woordie Major Bucktour Sing.

Finding.—Guilty, but the occurrences, in the second and third instances took place at Hosheyarpore.

Sentence.—Dismissal from the service.—*Approved and confirmed.—Head Quarters, 16th June* 1850.

Captain A. G. Brine, H. M. 32nd Foot.

Tried by General Court Martial at Jullunder, 5th June 1850.

Charges.—1st Charge, for having, at Jullundur, on or about the 9th and 28th of October 1849, neglected his duty as Captain of the company to which the late Private J. Craney and J. Hardinge belonged, in not having secured and taken inventories of their effects, as directed in the 31st Article of War.

2nd Charge, for having, at Jullundur, between the 30th of March and the 28th of April 1850, repeatedly and pertinaciously refused to give in writing an explanation which had been required by the Pay Master, and ordered

by the Officer commanding the Regiment, of the reason of there having been but his own signature to the inventories of the effects of the deceased Soldiers mentioned in the first charge and, of the reason of the delay which had occurred in sending in those inventories to the Pay Master.

Finding.—Guilty.

Sentence.—To be severely reprimanded.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—Brigadier Wheeler is hereby directed to reprimand Captain Brine severely, if his state of health appears to justify it ; but the prisoner's conduct has been altogether so very extraordinary, that the Brigadier is requested to consult the Medical Officers of Captain Brine's Regiment as to the state of that Officer's health, before the Brigadier executes the sentence of the Court, and he is to be guided by the opinion expressed by those Medical Officers, as to whether the reprimand ought to be inflicted or not, reporting what is done to me.—*Head Quarters*, 16*th June* 1850.

Private John Springett, H. M. 14*th Light Dragoons.*

Tried by General Court Martial, at Lahore, 6th June 1850.

Charges.—1st. For having, at Lahore, on the 24th of April 1850, been absent without leave from punishment drill, and so continued absent for about three hours.

2nd. For having, at the same time and place, when a prisoner in the main guard, made use of highly insubordinate language regarding his Commanding Officer Lieutenant Colonel J. W. King, C. B., saying that he was

a coward and had ran away from the Regiment at Chillianwalla, and that he, the prisoner, would knock his bloody old head off, or used words to that effect.

3rd. For having, at the same time and place, made use of highly insubordinate language to Sergeant G. Guise, of the same Regiment, saying that he would shift his bloody ear, or used words to that effect.

Finding.—Guily.

Sentence.—Fifty lashes and imprisonment for eighteen months.—*Approved and confirmed.—Head Quarters, 16th June* 1850.

Private John Lavery, 2nd European Bengal Fusiliers.

Tried by General Court Martial at Agra, 14th June 1850.

Charges.—1st. Absence without leave.

2nd. Firing a musket, loaded with powder and metal buttons, and thereby wounding an old man.

3rd. Firing among the police who were attempting to apprehend him, and wounding a chowkedar, the two last charges being felonious and in breach of the Articles of War.

Finding.—Guilty.

Sentence.—Imprisonment for twelve months, with solitary confinement the first fourteen days in the 6th, 7th and 8th months.—*Approved and confirmed.—Head Quarters, 26th June* 1850.

Private Edward Mallon, H. M. 29th Foot.

Tried by General Court Martial at Meerut, 30th May 1850.

Charge.—Having thrown his forage cap at and therewith struck Lieutenant Colonel Congreve, commanding the Regiment.

Finding.—Guilty.

Sentence.—Transportation for life.—*Approved and confirmed.—Head Quarters, 16th June* 1850.

Subadar Asghur Ally, 1st Seikh Local Infantry.

Tried by General Court Martial at Jullundur, 12th June 1850.

Charge.—In having, at Jullundur, on the 3rd of August 1849, when in command of the jail guard, with a view to obstruct inquiry into the circumstance of the escape of a State prisoner named Jehan Sing, from the jail at Jullundur, falsely reported to the late P. Mackeson, Esquire, Deputy Collector at Jullundur, that the jail guard was all present, he, Subadar Asghur Ally, well knowing that Pertab Sing, Naick of the same Regiment, one of the said guard, who was suspected of connivance at the escape of the State prisoner from the jail, was not present with the guard, but had deserted.

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowances for six months.—*Approved and confirmed.—Head Quarters, 29th June* 1850.

Private Timothy Donovan, H. M. 18th Foot.

Tried by General Court Martial at Meerut, 12th June 1850.

Charges.—1st, Being drunk; 2nd, Having when about to be confined for that offence, rushed at and struck with his fist, Corporal Henry Hamilton of the same Regiment.

Finding.—Guilty.

Sentence.—Imprisonment for two years.—*Approved and confirmed.—Head Quarters, 29th June* 1850.

Private John McLean, H. M. 14th Light Dragoons.

Tried by General Court Martial at Lahore, 3rd June 1850.

Charges.—For highly outrageous and insubordinate conduct, in having, on a parade of the Regiment, at Lahore, on the 20th of March 1850, after having undergone corporal punishment by sentence of a Court Martial, advanced towards Lieutenant Colonel J. W. King, C. B., commanding the Regiment, in a threatening manner, using grossly abusive language to that Officer; and in having violently resisted the escort which secured him.

Finding.—Guilty.

Sentence.—Transportation for seven years.

Revised.—In revising the proceedings of the Court, I am obliged to call its attention to some facts which demand the most serious notice.

1st. The prisoner was allowed to get drunk in the guard room of Her Majesty's 14th Light Dragoons, when under sentence of a Court Martial.

2nd. The prisoner was brought drunk to the parade.

3rd. Assistant Surgeon Fasson, whose business it was closely to have examined the state of the prisoner who was about to suffer corporal punishment, did not examine him, and did not perceive that he was intoxicated, till drink and the pain of punishment had made him so furious, that the Assistant Surgeon's own words are "*I thought he must be either mad or drunk.*"

4th. The Adjutant Lieutenant Apthorp, equally unobserving with the Assistant Surgeon, did not find out that the prisoner was drunk till after he had received punishment.

5th. The consequence was that this Soldier was flogged when in a state of intoxication, and all this took place in presence of Lieutenant Colonel King, the Commanding Officer of the Regiment.

6th. When freed from the triangles, the prisoner infuriated by having drank nearly two bottles of Arrack and some Beer in the guard room, as proved before the Court, became outrageous and abusive, as might have been foreseen.

7th. I ask the Court therefore to re-consider and to mitigate its sentence, for however disgraceful and insubordinate the conduct of the culprit may have been, it was certainly as much produced by neglect of duty in others, as by the drunkard himself. The sentence appears to me to be severe beyond all proportion to the crime, in the peculiar circumstance above stated.—*Head Quarters*, 18*th June* 1850.

Revised Sentence.—The Court adheres to its former sentence.

I am sorry that the Court felt itself called upon to adhere to a sentence, which I have no power to commute, and cannot, in the extraordinary circumstances of the case, execute ! I have therefore no alternative but to pardon the prisoner ; not excused

by his drunkenness, but by facts stated in my remarks to the Court on its proceedings being revised—I assure the Court, that great severity, without a due consideration being given to circumstances, is not justice, nor conducive to discipline.

The prisoner is to return to his troop.—*Head Quarters, 1st July* 1850.

Private Thomas Fiman, H. M. 22nd Foot.

Tried by General Court Martial at Subathoo, 20th June 1850.

Charges.—1st, Disrespectful language to Sergeant Samuel Bozman; 2nd, Striking with his fist and thereby knocking down the said Sergeant George Bozman.

Finding.—Guitly.

Sentence.—Imprisonment with hard labour for seventeen months.—*Approved and confirmed.—Head Quarters, 29th June* 1850.

Jemadar Jehangheer Khan, 7th N. I.

Tried by General Court Martial at Loodianah, 25th June 1850.

Charges.—1st, For neglect of duty, in having, at Loodianah, on the 7th of May 1850, when on duty at the quarter guard of his Regiment, and having been duly informed about midnight that an alarm of fire had been sounded by other Regiments, failed to cause the alarm to be sounded at his guard; and in having made no report of the occurrence next day when relieved from duty.

2nd. For highly unbecoming conduct, in having, at Loodianah, on the following morning when relieved from

duty, falsely reported that when the alarm of fire took place, he was not informed of it; and in having repeated the same false statement before a Court of Inquiry at Loodianah, on the 9th of May 1850.

Finding.—Guilty.

Sentence.—Dismissal from the Service.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I will commute the prisoner's sentence into suspension from rank, pay and allowances, for the space of six months, from the date of these remarks.—*Head Quarters, 3rd July* 1850.

Private Jeremiah Brady, H. M. 32nd Foot.

Tried by General Court Martial at Jullundur, 28th June 1850.

Charges.—1st, Habitual drunkenness; 2nd, Losing or making away with regimental necessaries; 3rd, Having with a bamboo stick struck Sergeant C. J. McLenon, a violent blow across his back.

Finding.—Guilty.

Sentence.—Imprisonment for two years; fifty lashes; stoppages for the necessaries missing, and further stoppages of one penny a day for two years.—*Approved and confirmed.—Head Quarters, 3rd July* 1850.

Adjoodhea Pershaud, (otherwise Nubbee Bux,) Sepoy, 41st N. I.

Tried by General Court Martial at Lahore, 4th July 1850.

Charges.—For having, on or about the 6th of June 1848, deserted from his Regiment stationed at Nusseerabad, and

proceeded to Mooltan, where he entered as a Soldier into the service of the ex-Dewan Moolraj, then in arms against the British Government, and was taken prisoner on or about the 22nd of January 1849, on the capture of the Fortress by the British Government.

Finding.—Guilty.

Sentence.—Transportation for life.—*Approved and confirmed.—Head Quarters, 12th July* 1850.

Neezam Deen, Siddoo Sing and Rahim Bux, Sepoys, 1st Seikh Local Infantry.

Tried by General Court Martial at Jullundur, 3rd July 1850.

Charge.—For having, at Jullundur, on or about the 22nd day of July 1849, when on sentry at the jail, through carelessness or neglect, suffered Jehan Sing, a State prisoner, in confinement in the said jail, to escape from his confinement.

Finding.—Not Guilty.—*Approved and confirmed.—Head Quarters, 13th July* 1850.

Ruggonath Sing, Jemadar, 1st Seikh Local Infantry.

Tried by the same Court Martial, 5th July 1850.

Charges.—1st. For having, at Jullundur, on or about the 22nd day of July 1849, when in command of the jail guard, without proper authority, released Jehan Sing, a State prisoner, then in confinement in the said jail.

2nd. For having, at Jullundur, on or about the 3rd of August 1849, attempted to suborn false witness in the matter of the escape of the said Jehan Sing, by bribing Hyder Khan, jail Burkundauz, and soliciting Isur-toollah, Blacksmith, of the town of Jullundur, to depose that a

Native woman, named Nundee, otherwise Chuttakee, had been suborned as a false witness by Morad Buksh, jail Darogah.

Finding.—Not Guilty.—*Approved and confirmed.*—*Head Quarters, 13th July* 1850.

Gunner Charles McAllen, 1st Company, 5th Battalion Artillery.

Tried by General Court Martial at Lahore, 9th July 1850.

Charges.—1st, Habitual drunkenness; 2nd, Having struck and kicked Sergeant William Gordon.

Finding.—Guilty.

Sentence.—Transportation for seven years.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I think the sentence very lenient indeed. —*Head Quarters, 16th July* 1850.

Private John Dugleby, H. M. 14th Light Dragoons.

Tried by General Court Martial at Lahore, 28th June 1850.

Charges.—1st, Absence from his Regiment; 2nd, Losing or making away with Regimental clothing and necessaries; 3rd, Using grossly insubordinate and abusive language to Lieutenant Colonel King, his Commanding Officer in calling him an "———"

Finding.—Guilty.

Sentence.—Fifty lashes; imprisonment for two years with solitary confinement for the first fourteen days in the 4th, 5th, 6th, 7th, 8th and 9th months of each year; stoppages for the articles lost or made away with.

Revised Sentence.—As before, except that the solitary confinement is omitted.—*Approved and confirmed.*—*Head Quarters, 13th July* 1850.

Private Richard Geraghty, 2nd European Bengal Fusiliers.

Tried by General Court Martial at Agra, 12th July 1850.

Charge.—Stealing a silver watch, the property of a comrade.

Finding.—Guilty.

Sentence—(Previous conviction and general bad character); Imprisonment for two years with solitary confinement for the first fourteen days of the 4th, 5th, 6th, 7th, 8th and 9th months of each year.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—The prisoner's guilt seems to arise from an inordinate love for liquor, and I will remit one-half of his punishment, in the hope that a year's imprisonment and the solitary confinement will work a salutary reform in his character.—*Head Quarters, 21st July* 1850.

Sergeant James Scully, H. M. 98th Foot.

Tried by General Court Martial at Peshawur, 25th June 1850.

Charge.—Having feloniously and wilfully killed and murdered Isabella Lockwell, by striking her with a riding whip, on the head.

Finding.—Guilty, with the exception of the words "and wilfully" "and murdered."

Sentence.—Transportation for seven years.—*Approved and confirmed.—Head Quarters, 24th July* 1850.

On the neglect of certain Commanding Officers to read and explain the Orders for the cessation of Scinde Pay.

HEAD QUARTERS, SIMLA, 29TH JULY 1850.

The orders issued by the Governor General and Commander in Chief, on the 25th of October 1849, were directed to be read and carefully explained to the Native Regiments of the Army. These orders were not obeyed by some twelve or thirteen Commanding Officers, whose names I have only been able to collect within the last few days.

The motive of those orders was to prepare the minds of the Sepoys for a reduction of pay, which they all expected; but, though expected, it was right that the justice of that reduction should be made apparent to all.

The importance of this order could not be disputed; nor was it the question.

The question was, were Officers commanding Regiments to decide, whether the orders issued to them, by the highest Authorities, were to be obeyed, or disobeyed? In other words, is discipline to exist in this Army, or not? That is the whole question.

I will not publish the names of those *Gentlemen*, who seem to think that discipline is a thing that

comes of itself, and that its maintenance is unimportant ! But I will express my approbation of those stern *Soldiers*, who did read and explain the orders referred to: who, scorning to allow a lax system to creep into their own sphere of command, hold discipline to be sacred; to be the palladium of the Army; the guard of its honor; and the very source of its security. They justly feel that of this obedience, this discipline, they are the main supporters and the safeguard.

The Commander in Chief is the person to order an Army into its just and proper positions: to promulgate all orders for its various branches: to establish and maintain a general system.

The Generals of Divisions and of Brigades are responsible for the correct execution of the movements ordered, and for attention being paid to the established regulations.

But Commanders of Regiments are the men who form the foundation on which the spirit and discipline of an Army rest. The first duty of these Commanders is to insure the full knowledge of the orders which issue from Head Quarters, and to enforce an exact obedience to them, in their respective Regiments. Commanders of Regiments form their Commanders of Companies; and these last, under the watchful eye and constant instruction of the Lieutenant Colonel, form the private Soldier.

Generals ought to have nothing to teach. They ought only to exercise the troops under their orders and watch that the Commanders of Regiments do their duty.

But how are orders to be obeyed, if not circulated and read to every Soldier in the Army? It behoves every man in an Army to read, or hear read, every order that is issued by the Commander in Chief.

The Commander in Chief issues these orders to Generals of Divisions. They, in turn, to Brigadiers. The latter issue them to Commanders of Regiments and Detachments; and some of these Gentlemen fling the orders of superior authority into the fire as so much nonsense! But if a private Soldier disobeys *their* orders, they are ready enough to bring him to a Court Martial!

I will not dwell longer on this subject. I must leave it to the good sense of those Gentlemen, who have in the present instance disobeyed orders, to see the necessity of doing their duty more correctly in future, or they will vitally injure a service, for the honor and glory of which they would, to a man, lay down their lives on the field of battle.

My period of service with this noble Indian Army will very soon close; but while I am at its head, I wish to convince those, whose neglect in the instance which has elicited this order, and on whom its discipline so much depends, that zeal and pains-

taking can alone give a just effect to that brilliant courage, which the men who compose this Army, and especially its European Officers, have never failed to exhibit. Courage in single combats results from personal skill and strength: in general engagements it is entirely the effect of that confidence which is produced by discipline. These are axioms which should be unceasingly impressed on the minds of all; but especially on the minds of those who command Regiments.

To those Officers who read and explained to the Sepoys the General Order of the 25th October 1849, I have only to express my satisfaction at such a soldier-like execution of their duty; and I will conclude by assuring them of the confidence which their proper estimate of their own high duties must ever give to the Commander in Chief of this Army.

Courts Martial.

Ensign Charles Henry Dagg, H. M. 98th Foot.

Tried by General Court Martial at Peshawur, 15th July 1850.

Charge.—For conduct unbecoming an Officer and a Gentleman, in appearing in a state of intoxication at a Ball, given by No. 1 Company, Her Majesty's 61st Regiment, on the night of the 22nd of May 1850, at Peshawur.

Finding.—Guilty.

Sentence.—To be severely reprimanded, and to lose two steps in the list of Ensigns.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I pardon Ensign Dagg. His frank avowal of, and regret for his misconduct, together with his promise to be steady in future, convince me that no reprimand is necessary, though very properly sentenced by the Court.—*Head Quarters, 24th July* 1850.

Lieutenants William Mayne, John Baldwin and Henry Vansittart Pennefather, H. M. 22nd Foot, and Second Lieutenant Charles William Pownall Lillingston, H. M. 60th Royal Rifles.

Tried by General Court Martial at Simla, 25th July 1850.

Charge.—For having, at Subathoo, during the period between the 18th and 21st of June 1850, inclusive, in breach of good order, and in disregard of Her Majesty's Regulations, in which gaming is positively prohibited, gamed and betted together at the game of backgammon, till considerable sums of money had been lost by the three former Officers to the latter Officer.

Finding.—(All pleaded Guilty,) Guilty.

Sentence.—To be reprimanded in such way as the Commander in Chief may be pleased to direct.—*Approved and confirmed.*

Reprimand.—In the above case, there has not been any act of dishonor committed by the parties concerned. Lieutenants Mayne and Pennefather have brought high testimony to prove that their present painful position has been the result of a

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momentary imprudence foreign to their usual steady conduct : I regret that the other two Officers did not follow the same course.

In reprimanding them all four, according to the sentence of the Court, I will hope that their expressed contrition may be sincere ! Few men can lose money at play without great suffering : therefore, none ought to win without remorse : for what honest or generous man can find satisfaction in having ruined his neighbour ? We may all be assured that the parable of the Priest, the Levite, and the Samaritan, was not imparted to men, that it should pass by unheeded.—*Head Quarters, 29th July* 1850.

Major Benjamin Trarell Phillips, 7th Light Cavalry.

Tried by General Court Martial at Jullundur, 22nd July 1850.

Charge.—For having, at Jullundur, on the 7th of September 1849, neglected to render prompt and efficient assistance to the Civil Authority, in the apprehension of certain Troopers and others belonging to the 7th Light Cavalry under his command, accused of having on that day murdered Munsubdar Khan, Naick, of the 37th Native Infantry; and for having, during several subsequent days, obstructed the investigation instituted by the Cantonment Joint Magistrate at Jullundur, and failed to render him that aid which it was his bounden duty to afford.

Finding.—Not Guilty,—most fully and honorably acquitted.—*Approved and Confirmed.*

Remarks by His Excellency the Commander in Chief.—I entirely concur in the complete and honorable acquittal of Major Phillips, and in so doing I feel bound to express my dissatisfaction at the conduct of both Major Hamilton and Major Palmer. These Officers appear to have passed over Major Phillips, and interfered in a direct and unauthorized manner with the Regiment under his command. So far from having obstructed the Joint Magistrate in the endeavours of the latter to discover a murderer, it appears clearly that Major Phillips rendered his zealous assistance to Major Hamilton.—*Head Quarters, August 3rd* 1850.

Private Patrick Doyle, H. M. 18th Foot.

Tried by General Court Martial at Meerut, 16th July 1850.

Charge.—Having in his possession three pairs of boots, well knowing the same to have been stolen.

Finding.—Guilty.

Sentence.—(Former convictions and general very bad character) Fifty lashes; imprisonment for eighteen months, with solitary confinement for the last fourteen days of each alternate month, viz. the 2nd, 4th, 6th, 8th, 10th, 12th, 14th, 16th and 18th months, of such imprisonment; and the Court recommend that the prisoner be discharged from Her Majesty's Service with ignominy.

Revised.—The proceedings being irregular and sentence illegal.—*Head Quarters, 24th July* 1850.

Revised Sentence.—Imprisonment as in the original sentence; and forfeiture of all claim to pension, &c.; and recommendation for discharge as in original sentence.—*Approved and confirmed.—Head Quarters, 3rd August* 1850.

Private John Dugleby, H. M. 14th Light Dragoons.

Tried by General Court Martial at Lahore, 18th July 1850.

Charge.—For highly insubordinate conduct, in having, at Lahore, on the 28th of June 1850, when called upon to make his defence before a General Court Martial, instead of doing so, taken occasion to vilify his Commanding Officer, Lieutenant Colonel J. W. King, C. B., (since deceased) by imputing to him cowardice in action on the 13th of January 1849; and for having mutinously declared, at the same time, that so long as Lieutenant Colonel King commanded the Regiment, he, Private Dugleby, would do no more duty as a Soldier.

Finding.—Guilty.

Sentence.—Transportation for fourteen years.

Revised.—The sentence is illegal and must be changed.—*Head Quarters, 24th July* 1850.

Revised Sentence.—Fifty lashes and imprisonment with hard labor for three years, commencing at the expiration of the imprisonment to which the prisoner had been previously sentenced.—*Approved and confirmed.—Head Quarters, 7th August* 1850.

Private John McCormick, H. M. 29th Foot.

Tried by General Court Martial at Meerut, 26th July 1850.

Charges.—1st, Habitual drunkenness; 2nd, Disgraceful conduct in having dishonestly received and had in his possession certain articles of clothing, &c., well knowing the same to have been stolen.

Finding.—1st charge, Guilty; 2nd charge, Not Guilty.

Sentence.—(Previous conviction and general bad character) three months' imprisonment, and stoppages of a penny a day for twelve months.—*Approved and confirmed.*—*Head Quarters, 3rd August* 1850.

Davy Sing, Sepoy, 44th N. I.

Tried by General Court Martial at Barrackpore, 26th July 1850.

Charge.—For having, at Barrackpore, on the 19th of June 1850, lifted up against his superior Officer, Major J. Bartleman, commanding the Regiment, a loaded musket, which he presented at that Officer, at the same time threatening to shoot him if he did not keep off.

Finding.—Guilty.

Sentence.—Transportation for life.—*Approved and confirmed.*—*Head Quarters, 7th August* 1850.

Lieutenant Hugh Rose, 3rd N. I., Deputy Assistant Quarter Master General.

Tried by General Court Martial at Simla, 2nd August 1850.

Charge.—For conduct highly unbecoming an Officer and a Gentleman, in the following instances:

1st. In having, at Simla, on the evening of the 24th of June 1850, falsely stated in the hearing of several persons, that at a ball which had been recently given at Simla,

Mr. John Lang, Editor of the Mofussilite Newspaper, was intoxicated, and dressed in a shooting coat.

2nd. In having, on the same occasion, when contradicted by an Officer present, taken no measures to establish his own veracity, and to relieve himself of the imputation of falsehood conveyed in that contradiction.

3rd. In having, at Simla, on the 29th of June 1850, when he received a letter of that date from Mr. Lang, couched in very offensive terms, accusing him of falsehood in his assertions made on the 24th of the month, and threatening him with personal chastisement, taken no steps to disprove to the proper Military Authorities the gross accusations made against him in that letter, and instead of so doing, having on the 1st of July 1850, sworn the peace against Mr. Lang in the Civil Court at Simla.

4th. In having, at Simla, on the 1st of July 1850, applied to the Civil power to provide him with an escort of police on his way to the Court, to protect him from the violence of Mr. Lang, and in having availed himself of such escort in proceeding to the Court; he being an armed military man; his conduct herein displaying a want of spirit unbecoming in an Officer in the Army.

5th. In having, in a statement, dated Simla, 3rd July 1850, made for the information of His Excellency the Commander in Chief, falsely represented that all he had said on the 24th of June 1850, regarding Mr. Lang, was, that when the ladies were going away (from the ball) Mr. Lang came down in a shooting coat whitened with the wall.

Finding.—On the 1st instance of the charge, not guilty, as, though the Court are of opinion that Lieutenant Rose did make the statement as alleged in the charge, they do not consider that it was falsely made; 2nd instance, not

guilty, 3rd instance, guilty, 4th instance, guilty, and 5th instance, not guilty.

And the Court are further of opinion, that such conduct as contained in the two instances of the charge of which they have found him guilty, is unbecoming an Officer; but the Court acquit him of the remainder of the charge.

Sentence.—To be severely reprimanded in such terms as His Excellency the Commander in Chief may be pleased to direct.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—Lieutenant Rose has been acquitted of *three* charges, and found guilty on *two*. He is sentenced to be severely reprimanded.

The most severe, but at the same time the most just, that I can give to Lieutenant Rose, appears to me to be a summary of his own conduct as regards the two charges on which he has been found guilty.

Proved to have been grossly insulted and threatened with *personal castigation*, by a Gentleman, whose physical powers Lieutenant Rose publicly declared to be inferior to his own, he took no one of those simple measures which it becomes a British Officer to do, when grossly insulted.

Among the steps which Lieutenant Rose ought to have taken, there were two so obvious as hardly to need being pointed out. They offended neither Military nor Civil law, and were in accordance with common sense.

The one was for Lieutenant Rose *immediately* to have called upon the head of his department with

Mr. Lang's letter in his hand, and declared his readiness to meet and disprove all assertions to the prejudice of his character, in any way that the Commander in Chief should direct. This Lieutenant Rose did not do till after he had adopted, and felt the result of, that line of conduct for which he stands condemned by the Court. It was then too late! It then became a mockery.

The other step which Lieutenant Rose might have taken was still more simple, more becoming, more efficacious, one perfectly justified by law, and by the conventional rules of society. It was to have applied his boasted superior physical strength to the defence of his person and his honor.

As Lieutenant Rose has been acquitted by the Court of having given just cause for Mr. Lang's insulting letter, this last mode of proceeding must have met with the approbation of all honorable men.

Lieutenant Rose is said to have been ill-advised. This may have been so, but he must take the responsibility of having acted by that bad advice, and of having failed, in the most simple of all possible cases, to do that which, in the opinion of all honest men, was the proper mode for him to have maintained the integrity of his own character as a British Officer.—*Head Quarters*, 16*th August* 1850.

☞ Lieutenant Rose was released from arrest, but was not directed to resume his duties as Deputy Assistant Quarter Master General.

First Lieutenant Edmund James Goodridge, Artillery.

Tried by General Court Martial at Simla, 16th August 1850.

Charge.—For conduct disgraceful to the character of an Officer and a Gentleman, in the following instances:

1st. In having, at Simla, on or about the 2nd of August 1850, both at the public breakfast table at the Pavilion Hotel and afterwards, falsely declared that he had never said that a Gentleman, whom he then named, had been drunk at a Ball which took place at Simla on the 20th of June 1850; whereas he had some little time after the date of that Ball, publicly stated at the table d'hote of the Pavilion Hotel, that the Gentleman adverted to, and whom he then named, was seen by him "beastly drunk" at the Ball, and that his attention had been attracted by an Officer to that Gentleman's condition at that time.

2nd. In having, on the same occasion, when remonstrated with for his denial, and told that his previous contrary assertions had been heard by several persons, declared that he was not going to make an enemy of the Gentleman alluded to, and whom he then named, for the sake of Lieutenant Rose, or words to that effect; he having been then summoned as a witness for the defence of Lieutenant Rose, 3rd Native Infantry, at a General Court Martial at Simla; and in having, at Simla, about the same time, expressed himself to the same effect to Captain T. P. Walsh, of the Madras Army.

3rd. In having, in pursuance of his declared resolution not to make an enemy of the Gentleman adverted to, given his evidence evasively, when examined as a witness on the defence of Lieutenant Rose, at Simla, on the 3rd of August 1850; and in having given evidence on that occasion

which differed very materially from what he had previously stated at the Pavilion Hotel, as alleged in the conclusion of the 1st instance.

4th. In having, at Simla, on the 5th of August 1850, when taxed by Captain T. P. Walsh, of the Madras Army, with having given evidence at the Court Martial differing from his previous statements, falsely declared "I'll take my oath I never made such statement," or words to that effect.

5th. In having, at Simla, on the 7th of August 1850, falsely stated at the table d'hote at the Pavilion Hotel, that he had never denied having stated that the Gentleman adverted to, and whom he then named, was drunk at the Ball.

6th. In having, at Simla, in a note dated 8th August 1850, addressed to Captain T. P. Walsh, of the Madras Army, thus unwarrantably and falsely expressed himself; "I now denounce your accusations as *wholly, utterly* and *entirely false:*" he, Lieutenant Goodridge, well knowing, that Captain Walsh's statements, regarding his conduct, as represented in the foregoing instances, were perfectly true.

Finding.—Not Guilty.—*Approved and confirmed.*—*Head Quarters, 19th August* 1850.

Remarks by the Court.—With reference to the finding on the 6th instance of the charge, the Court feel themselves called on to express their conviction that Captain Walsh was actuated in making his accusations by an honorable and soldier-like feeling.

Jemadar Budloo Pandy, 64th N. I.

Tried by General Court Martial at Allahabad, 10th August 1850.

GSL

Charges.—1st. For having, at Allahabad, on the 26th of June 1850, when commanding the guard over the State prisoners in that Fortress, in disregard of standing orders to that guard not to allow any Native stranger or any unauthorized person to communicate with the prisoners, sanctioned or connived at the admission of one Seetaram, a stranger, within the prison, and his communication with two of the State prisoners.

2nd. For having, at the same time and place, taken no measures to secure the man Seetaram, when he was seized by Hyat Khan, one of the prisoners there confined.

Finding.—Not Guilty.—*Approved and confirmed.*—*Head Quarters, 21st August* 1850.

Havildar Gungapersaud Pandé, 64th N. I.

Tried by the same Court Martial, 12th August 1850.

Charges.—1st. For having, at Allahabad, on the 26th of June 1850, when on guard over the State prisoners in that Fortress, in disregard of standing orders to that guard not to allow any Native stranger or any unauthorized person to communicate with the prisoners, sanctioned the admission of "Seetaram," a stranger, within the prison, and his communication with two of the State prisoners.

2nd. For having, at the same time and place, taken no measures to secure the man "Seetaram," when he was seized by Hyat Khan, one of the prisoners there confined.

Finding.—Guilty.

Sentence.—Dismissal from the service.—*Approved and confirmed.*—*Head Quarters, 21st August* 1850.

Private James Neal, H. M. 29th Foot.

Tried by General Court Martial at Meerut, 16th August 1850.

Charges.—1st, Disobedience to the command of a Corporal; 2nd, Having struck the said Corporal, being in the execution of his office.

Finding.—Guilty.

Sentence.—(General bad character) Imprisonment for twelve months with solitary confinement for the first fourteen days of the 2nd, 4th, 6th, 8th, 10th and 12th months.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—I am sorry that the Court has judged it proper not to attend to the letter from the Adjutant General of Her Majesty's Troops, dated Horse Guards, September 20th, 1837, which was, of course, laid before the Court by the Deputy Judge Advocate General.

2nd. I limit the prisoner's punishment to eight (8) months' imprisonment, with 14 days of solitary confinement in the 2nd, 4th, 6th and 8th months, respectively.—*Head Quarters, 25th August* 1850.

Private John Hanley, H. M. 98th Foot.

Tried by General Court Martial at Peshawur, 18th July 1850.

Charges.—1st. For having been drunk when one of the regimental quarter guard 98th Regiment, at Peshawur, about the hours of nine and ten o'clock on the night of the 7th day of June 1850.

2nd. For highly insubordinate conduct when brought before the Commanding Officer for the offence stated in the 1st charge, on the morning of the 10th day of June

1850, in raising his arm with a clenched fist to Sergeant Abraham Carbury, 98th Regiment, with the intention of offering violence in the presence of his Commanding Officer, in the orderly room of Her Majesty's 98th Regiment, at Peshawur.

3rd. For having, at Peshawur, between the 31st day of May and the 10th day of June 1850, lost through neglect, or wilfully made away with, the following article of his regimental necessaries; viz. one pair of regimental cloth trowsers.

Finding.—Guilty, except as to the words "to Sergeant Abraham Carbury" in the 2nd charge.

Sentence.—(Previous convictions and general very bad character) Transportation for seven years.

Revised.—I cannot concur in the sentence, which I do not think is a just one, and I know it to be illegal. It appears to me unjust, because if all the charges were proved, I do not think they would demand such severity of punishment. But they are not all proved; on the contrary, the Court have acquitted the prisoner of the only thing contained in these charges, that could subject him to transportation.

2nd. Lieutenant Peyton says, that the prisoner is a "*very bad*" character, but offers no proof of this, nor do the man's previous convictions! I do not say that he is not a "*very bad*" man, but I do say that no proofs are given of this, and such are necessary, and should be given in a general way, when character is called for by the Court, expressly

for its "own guidance in awarding punishment, as "well as that of the confirming authority in sanc- "tioning its being carried into effect."

3rd. As the prisoner is acquitted of having offered violence to Sergeant Carbury, the Court have no power to transport him, and must revise its sentence.—*Head Quarters, 3rd August* 1850.

Revised Sentence.—Fifty lashes and eighteen months' imprisonment, with solitary confinement for the last fourteen days of the 2nd, 3rd, 4th, 5th, 6th and 7th months.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—I remit ten months (10) of the sentence. The remaining eight months (8) are to be inflicted with solitary confinement for the last fourteen days of the 2nd, 3rd, 4th and 5th months.—*Head Quarters, 28th August* 1850.

Assistant Surgeon E. J. Kennedy, M. D., H. M. 64th Foot.

Tried by General Court Martial at Kurrachee, 23rd July 1850.

Charge.—For conduct unbecoming the character of an Officer, and to the prejudice of good order and Military discipline, between the 8th and 17th of May 1850, in the following instances; viz.

1st Instance.—For neglect of duty and gross disobedience of orders, at Camp Kurrachee, in not having attended to his Medical duties at the Hospital of Her Majesty's 64th Regiment, although directed by me to do so in a Regimental Order, dated the 7th of May 1850.

2nd Instance.—For neglect of duty and gross disobedience of orders, at Camp Kurrachee, in having failed to attend to his Medical duties at the Hospital of Her Majesty's 64th Regiment, although directed so to do by Surgeon Archer, Her Majesty's 64th Regiment, his superior Officer, by an order conveyed to him in a Memorandum, dated 8th May 1850.

3rd Instance.—For neglect of duty and gross disobedience of orders, at Camp Kurrachee, in having failed to attend to his Medical duties at the Hospital of Her Majesty's 64th Regiment, on the 13th of May 1850, although ordered to do so by his superior Officer, Surgeon Archer, Her Majesty's 64th Regiment, conveyed to him in a letter, dated 13th May 1850.

4th Instance.—For neglect of duty and gross disobedience of orders, at Camp Kurrachee, in having failed to attend to his Medical duties at the Hospital of Her Majesty's 64th Regiment, on the 16th May 1850, although ordered by me his superior Officer so to do in a letter, dated 16th May 1850.

5th Instance.—For having, at Camp Kurrachee, when called upon to explain his conduct, written a disrespectful letter to me his superior Officer, through the Adjutant of Her Majesty's 64th Regiment, to the following effect, viz.: "In which note I had meant to imply that I considered "the attention to the detail of the Medical treatment of "the women and children as a most annoying and incon- "sistent duty for a Military Surgeon, who, I consider, "would then find himself, notwithstanding his claims to "high respect and observance, placed on the same level as "a village country Apothecary."

(Signed) J. Stopford,
Lieut. Col. Comdg. H. M. 64th Regt.

Finding.—Guilty.

Sentence.—To be cashiered.—*Approved and confirmed.*—*Head Quarters, 31st August* 1850.

Recommendation to Mercy.—The Court, having thus performed a painful duty in awarding a punishment commensurate with the offence, of which the prisoner has been found guilty, beg leave to recommend his case to the merciful consideration of His Excellency the Commander in Chief, for the Court are of opinion that Assistant Surgeon Kennedy may have been acting under a misapprehension of orders, inasmuch as that he may have considered that the few days' leave given him by his Commanding Officer, as adverted to in the Adjutant's letter of the 13th May, had superseded the orders of his immediate departmental superior; and further, that the culpable manner in which he was acting was not clearly and distinctly pointed out to him.

Remarks by His Excellency the Commander in Chief.—I am sorry that I cannot comply with the recommendation of the Court. There appears to me no excuse for the prisoner's misconduct, and his defence is not one which gives any promise of his amendment. He seems to be above the duties of his profession, as he deems it beneath him to attend to the sick wives and children of British Soldiers.

Narain Misser, Subadar, 15th N. I.

Tried by General Court Martial at Umballah, 2nd September 1850.

Charge.—For conduct unbecoming a Native Officer, in the following instances:

1st. In having, at Umballah, during the months of May, June and July 1850, permitted part of his house in the lines of the Regiment, to be converted into a shop for the sale of milk, flour, tobacco, &c., by a Bunnea named Goordial.

2nd. In having, at Umballah, on the 6th of July 1850, falsely stated to his Commanding Officer, that the stock in trade of the said Goordial, Bunnea, which was then in his, the Jemadar's house, were only articles required for the personal consumption of himself and his family.

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowances, for nine months.—*Approved and confirmed.—Head Quarters, 7th September* 1850.

Private James Mackay, 2nd European Bengal Fusiliers.

Tried by General Court Martial at Agra, 9th July 1850.

Charge.—For having, at Agra, on the night of the 25th of May 1850, murdered Rambuccus, Chowkeydar, by striking him with a stick, and thereby inflicting a mortal wound behind his left ear, of which he died on the 26th of May 1850.

Finding.—Not Guilty.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—Private J. Clarke is to be tried for the murder.—*Head Quarters, 4th August* 1850.

Private John Clarke, 2nd European Bengal Fusiliers.

Tried by General Court Martial at Agra, 26th August 1850.

Charge.—For having, at Agra, on the night of the 25th of May 1850, feloniously, wilfully, and maliciously killed and murdered Rambuccus, Chowkeydar, by striking him with a stick, and thereby inflicting a mortal wound under his left ear, of which he died on the 26th of May 1850.

Finding.—Not Guilty.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—I confirm the Court's verdict. Let the prisoner have the benefit of it; but my own conviction is different.—*Head Quarters, 14th September* 1850.

Lieutenant E. B. Litchford, 48th N. I.

Tried by General Court Martial at Cawnpore, 19th August 1850.

Charges.—1st. For having, at Bandah, on the 29th of June 1850, given to Ensign G. C. Huxham, of the same Regiment, a challenge to fight a duel with him.

2nd. For having, at Bandah, on the 30th June 1850, broken the arrest imposed upon him by the Officer commanding the Regiment, by quitting his quarters without being set at liberty by proper authority, and proceeding, in disregard of the prohibition and warning of the Commanding Officer, to fight a duel with Ensign Huxham.

Finding.—Guilty.

Sentence.—To be cashiered.—*Approved and confirmed.*

Recommendation by the Court.—The Court having passed judgment, begs most respectfully to recommend the prisoner to the merciful consideration of His Excellency the Commander in Chief, on account of past services and high character given him by his Commanding Officer.

Remarks by His Excellency the Commander in Chief.—The Court has recommended the prisoner to mercy, but solely on the ground of his past services.

Past services do not excuse such misconduct as that of which the prisoner has been found guilty, and therefore I cannot attend to the recommendation of the Court.—*Head Quarters, Simla, 11th September* 1850.

Ensign G. C. Huxham, 48th N. I.

Tried by the same Court Martial, 21st August 1850.

Charges.—1st. For having, at Bandah, on the 29th of June 1850, accepted from Lieutenant E. B. Litchford, of the same Regiment, a challenge to fight a duel with him.

2nd. For having, at Bandah, on the 30th of June 1850, broken the arrest imposed upon him by the Officer commanding the Regiment, by quitting his quarters without being set at liberty by proper authority, and proceeding, in disregard of the prohibition and warning of the Commanding Officer, to fight a duel with Lieutenant Litchford.

Finding.—Guilty.

Sentence.—To be cashiered.—*Approved and confirmed.*

Recommendation by the Court.—The Court unanimously and most strongly recommend the prisoner to the favorable consideration of His Excellency the Commander in Chief, as they have no hesitation in declaring, that considering the gross general unprovoked provocation he received, his youth and inexperience, the Court deem his conduct so natural and excusable, that had the law left any option the punishment awarded would have been very different.

Remarks by His Excellency the Commander in Chief.—At the very strong recommendation of the Court Martial, I pardon Ensign Huxham; and I do so because, I will use the words of the Court,* "*it was natural and excusable*" for a young and untried Soldier to resent, as he did, the "*gross and unprovoked provocation*" of a much older one.—*Head Quarters, 11th September* 1850.

Ensign T. W. White, 48th N. I.

Tried by the same Court Martial, 26th August 1850.

Charge.—For having, at Bandah, on the 30th of June 1850, assisted as a second at a duel between Lieutenant E. B. Litchford and Ensign G. C. Huxham, of the same Regiment, notwithstanding that he, Ensign White, had been present when on that morning the Officer commanding the Regiment had warned Lieutenant Litchford and Ensign Huxham against duelling, and had placed those Officers in arrest to prevent their fighting.

Finding.—Guilty.

Sentence.—To be cashiered.—*Approved and confirmed.*

Recommendation by the Court.—The Court having passed judgment, beg most respectfully to recommend the prisoner to the merciful consideration of His Excellency the Commander in Chief, on account of his youth and inexperience.

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* *Memorandum.*—In the remarks by His Excellency the Commander in Chief, on the result of the General Court Martial on Ensign George Corham Huxham, of the 48th Regiment Native Infantry, published in General Orders of the 20th September, the sentence "I will use the words of the Court," is to be between parenthesis. Order books are to be corrected accordingly.—*G. O. C. C., 27th September* 1850.

Remarks by His Excellency the Commander in Chief.—I cannot attend to the recommendation of the Court on account of youth and inexperience. The prisoner is above 21 years of age ; he had the command of veteran Soldiers ; he has, I conclude, received the education of a Gentleman ; yet he has been the active promoter of a duel for which there was not the slightest pretext or any possible excuse whatever, except on the part of Ensign Huxham.

In contrast to the conduct of Ensign White and Lieutenant Smith, I am bound to express my approbation of the admirable conduct of Ensign Ogilvie, who, throughout this proceeding, has acted with the greatest good sense, decision and honor both as an Officer and a Gentleman.—*Head Quarters, Simla, 11th September* 1850.

Lieutenant G. S. Smith, 48th N. I.

Tried by the same Court Martial, 27th August 1850.

Charge.—For having, at Bandah, on the 30th of June 1850, assisted as a second at a duel between Lieutenant E. B. Litchford and Ensign G. C. Huxham, of the same Regiment, although he knew that the Officer commanding the Regiment had placed those Officers in arrest in order to prevent their fighting a duel.

Finding.—Guilty, with the exception, as regards Ensign G. C. Huxham only, of the words, " although he knew that the Officer commanding the Regiment had placed those Officers in arrest to prevent their fighting a duel."

Sentence.—To be cashiered.—*Approved and confirmed.*

Recommendation by the Court.—The Court, having passed judgment, beg most respectfully to recommend the prisoner to the merciful consideration of His Excellency the Commander in Chief, on account of his past services.

Remarks by His Excellency the Commander in Chief.—The recommendation of the Court on the score of former services cannot be attended to; whatever these services may be, they are no excuse for such delinquency.—*Head Quarters, Simla, 11th September* 1850.

Ensign Edgar Sandham, 11th N. I.

Tried by General Court Martial at Barrackpore, 6th August 1850.

Charges.—First. For having, at Barrackpore, on the 24th of May 1850, been late at drill parade, and insolent to the Adjutant when in the execution of his duty.

Second. For having, at Barrackpore, between the 24th of May and 5th of June 1850, been late and absent from drill, and without sufficient cause; viz. on or about the 27th and the 28th of May 1850.

Third. For having, at Barrackpore, on the 5th of June 1850, in breach of his promise of amendment, given in writing on the 24th of May 1850, behaved with great insolence to the Adjutant on parade, he, Ensign Sandham, having drawn his sword and advanced with it towards the Adjutant in a threatening manner, exclaiming "who dares "to order me, who could force me? I should like to see "the person that dares order me off parade," or words to that effect.

GSL

Finding.—1st and 2nd Charges, Guilty; 3rd Charge, Guilty, "with the exception of a breach of promise and of advancing on the Adjutant in a threatening manner."

Sentence.—To be placed at the bottom of the list of Ensigns of his Regiment, and to be severely reprimanded.

Revised.—Adjutant Dennys, Sergeant Major Hitchcock, Sepoy Gungadeen and Sepoy Sadoo Pandy are all the witnesses produced on this trial. The three first swear, in the most direct manner, that the prisoner advanced in a great rage upon the Adjutant and drew his sword. The fourth witness does not deny this fact, and corroborates all that the other three have stated. The prisoner offers no disproof whatever! Thus the whole of the 3rd Charge is proved in the most complete manner; yet the Court acquits the prisoner of that Charge in the face of all evidence! I am perfectly at a loss to account for this, and I therefore return the proceedings for revision. I cannot sanction a finding in defiance of direct evidence, I think the sentence wholly inadequate.

Revised Finding and Sentence.—Court beg most respectfully to adhere to their former finding and sentence.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—Being unable to discover any grounds whatever for the sentence of the Court, I cannot approve of its proceedings; but in accordance with that sentence I severely reprimand this mutinous

Officer, Ensign Sandham, who presumed to draw his sword upon his superior Officer on the parade, for which he ought to have been cashiered. Frequent complaints of this Gentleman have come before me, and his Commanding Officer is therefore not to grant him any indulgence whatever till he learns how to conduct himself as becomes an Officer.—*Head Quarters, Simla, 27th September* 1850.

Isfundiar Khan, Ressaldar, 16th Irregular Cavalry.

Tried by General Court Martial, at Rawul Pindee, 3rd September 1850.

Charge.—For conduct highly unbecoming a Native Officer, in the following instances:

1st. In having, at Hosheyarpore, at the festival of Buckree Eed, on or about the 28th October 1849, wantonly and intentionally insulted the religious prejudices of Buctour Sing, the Woordee Major of the Regiment, by killing one or more cows in, or in the immediate vicinity of, the lines of the Regiment.

2nd. In having, at Rawul Pindee, on the 6th of June 1850, presented to his Commanding Officer a petition, for transmission to His Excellency the Commander in Chief, in which unfounded accusations were made against the Woordee Major Bucktour Sing.

Finding.—Guilty, "but that the petition which the prisoner presented bears date the 5th June 1850, and not 1st June*, as stated in the charge."

Sentence.—Dismissal from the service.—*Confirmed.*

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* So in General Orders,—charge states *sixth* of June.

Remarks by His Excellency the Commander in Chief.—I see such marked animosity evident in all the Native evidence, that I entertain great doubts regarding the truth of all their statements. I cannot acquit the prisoner of having acted culpably to a great extent. At the same time he had leave from his Commanding Officer to sacrifice the cows, on condition that they were to be killed outside of the cantonment limits, and the prisoner complied with that order. So far then as military discipline is concerned, he is guiltless.

But supposing him to have been guilty of all the charges, as the Court think, and which I do not believe to be the case; still it would be a hard measure of justice to dismiss a brave Officer, who has served with honor for fifty years, because he so far forgot his duty as to join in religious animosity. I therefore commute the prisoner's sentence to suspension for six months, and he is, in the presence of all the Officers, to acknowledge he was wrong to write the petition to me, dated 5th June 1850, and also he is to beg pardon of the Woordee Major for the language used therein as regards the said Woordee Major.—*Head Quarters, 28th September* 1850.

Jehangeer Khan, Jemadar, 16th Irregular Cavalry.

Tried by the same Court Martial, 7th September 1850.

Charges.—For conduct highly unbecoming a Native Officer, in the following instances:

1st. In having, at Hosheyarpore, at the festival of the Buckree Eed, on or about the 28th October 1849, wantonly and intentionally insulted the religious prejudices of Bucktour Sing, the Woordee Major of the Regiment, by killing one or more cows in, or in the immediate vicinity of, the lines of the Regiment.

2nd. In having, at Rawul Pindee, on the 1st of June 1850, presented to his Commanding Officer, a petition for transmission to His Excellency the Commander in Chief, in which unfounded accusations were made against the Woordee Major Bucktour Sing.

Finding.—Guilty, "but that the petition which the prisoner presented bears date the 5th June 1850, and not 1st June, as stated in the charge."

Sentence.—Dismissal from the service.—*Confirmed.*

Recommendation by the Court.—The Court having awarded a punishment proportionate to the offence of which they have found the prisoner guilty, and taking into consideration the mitigating circumstances given in evidence by Captain Davidson and Lieutenant Smith, do beg most earnestly to recommend him to the merciful consideration of His Excellency the Commander in Chief.

Remarks by His Excellency the Commander in Chief.—Taking all the circumstances of the case into consideration, I think the sentence very severe, and I willingly comply with the recommendation of the Court, and pardon the prisoner, in consideration of his long and gallant service; but I do this on the condition that he makes an apology to the

Woordee Major, in the presence of all the Officers of the Regiment.—*Head Quarters, 28th September* 1850.

Goolaub Doobey, Naick, 54th N. I.

Tried by General Court Martial, at Barrackpore, 4th September 1850.

Charge.—Desertion from his Regiment.

Finding.—Guilty.

Sentence.—Transportation for life.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—Though I think the sentence just, it is severe, and I do not consider that I shall injure discipline by commuting it to imprisonment for seven (7) years, which I accordingly do.—*Head Quarters, 20th September* 1850.

Gambling at Simla.

Head Quarters, Simla, 11th October 1850.

Remarks on the proceedings of a Court of Inquiry held by my order at Simla, from the 17th August last to the 23rd ultimo, at the request of Mr. MacChlery, of the Honorable Company's Civil Service.

These proceedings have been instituted at the request of Mr. MacChlery.

It is my opinion, that he would have better consulted his own respectability had he not forced this inquiry.

Neither Captain Ouvry's nor Lieutenant Draper's statements appear to me satisfactory.

Captain Ouvry is gone, so I shall make no comment upon his statement.

Lieutenant Draper appears to have joined Mr. MacChlery in concealing from Lieutenants Oakes and Bayley, that marks had been made on the cards with which they all four had played brag, and of which fact the two former gentlemen had become aware.

Now, if the cards were designedly marked for the purpose of cheating, and the Court of Inquiry has pronounced its unqualified and decided opinion that they were so marked, it seems clear that one of these four gentlemen must have been the man who committed this act.

It then became the duty of Mr. MacChlery and Lieutenant Draper to have, *at once, declared the fact to the other gentlemen, and to have broken off all play with each other, till an inquiry should expose the cheat, and thereby clear the characters of the other three.*

This straightforward course was not followed by Mr. MacChlery and Lieutenant Draper: they concealed their discovery that the cards were marked.

The result is, that when the fact became public, and it was believed that one of four players must have done the deed, it also came out that two of these players had concealed the circumstance from the other two! and, moreover, that the two who concealed the marking of the cards, having this fact in their possession, sat down to play together against the other two! This was wrong.

There is no proof elicited by the Court, which of these four players marked the cards; but it appears that while Mr. MacChlery and Lieutenant Draper imprudently concealed this circumstance, Lieutenants Bayley and Oakes, when they learnt the fact, instantly and honorably called for public inquiry, that the cheat might, if possible, be

discovered and their own characters be cleared from suspicion.

One circumstance alone prevents my ordering the three Officers before a General Court Martial, for disobedience of the General Orders issued against gambling by my predecessors, Lords Dalhousie and Gough, dated the 16th August 1831 and 26th June 1845. This circumstance is, that I have no power to take notice of Mr. MacChlery's conduct. He is not amenable to the orders of the Commander in Chief.

Therefore, not considering Lieutenant Bayley to be a gambler, I can only regret his having been so imprudent as to join those who appear to be so; but I reprimand Lieutenant Oakes and Lieutenant Draper for their direct and premeditated breach of discipline, and I desire that no indulgence whatever be granted to either of these gentlemen by their respective Commanding Officers, while I remain in command of this Army.

Courts Martial.

Ensign C. T. Seale, H. M. 94th Foot.

Tried by General Court Martial, at Bangalore, 16th August 1850.

First Charge.—For conduct to the prejudice of good order and military discipline, in having, at Cannanore, on the night of the 20th of June 1850, when on the sick report, left his quarters without leave, and appeared on the roads of the cantonment.

Second Charge.—For conduct unbecoming the character of an Officer and a Gentleman, and to the prejudice of good order and military discipline, in having, at the time and place stated in the first charge, been drunk when on the sick report.

Third Charge.—For having, at the same place and on the same day, as stated in the first charge, sent a verbal challenge by Lieutenant George Noble Bredin, of Her Majesty's 94th Regiment, to Ensign Henry Jameson, of the same Regiment, to fight a duel.

Fourth Charge.—For conduct unbecoming the character of an Officer and a Gentleman, in having, at the time and place stated in the first charge, in conversation with Lieutenant Francis Dalmahoy Wyatt, of Her Majesty's 94th Regiment, stated, with reference to the challenge he had sent to the aforesaid Ensign Henry Jameson, that he meant to put a bullet through his (meaning the said Ensign Henry Jameson's) "bloody carcase," or used words to the same effect.

The above being in breach of the Articles of War.

Finding.—Guilty.

Sentence.—Dismissal from Her Majesty's Service.—*Approved and confirmed.*

Remarks by the Court.—The Court has received, with disapprobation and great regret, the distinctions drawn by some of the witnesses, in giving their evidence on the charge of drunkenness against the prisoner.

Remarks by His Excellency the Commander in Chief in India.—I have seen in the proceedings of various Courts Martial witnesses so weak that they have not been able to make up their minds to give a manly and decided answer to the question put by the Court, and say whether a man was *drunk* or *sober!* This is a great proof of indecision of character and want of confidence in themselves; it is very pitiable! A man must be either *drunk*

or he must be *sober*. When a Court asks which, it does not want the witness to answer by giving a graduated scale of inebriation; it wants a simple answer to a simple question. "Was the prisoner drunk or sober? yea or nay?" I am not at all surprized at the remarks appended to the proceedings of the Court.—*Head Quarters, 7th October* 1850.

Assistant Farrier and Saddler Sergeant Joseph McKeon, Artillery.

Tried by General Court Martial, at Bareilly, 21st September 1850.

Charge.—For having, at Bareilly, on the 10th day of July 1850, feloniously, wilfully, and maliciously killed and murdered Sarah Juliet McKeon, his wife, by stabbing her with a sword, and thereby inflicting a mortal wound beneath her right breast, whereof she soon after died.

Finding.—Guilty.

Sentence.—Death by hanging.—*Approved and confirmed.—Head Quarters, 2nd October* 1850.

Private Richard Everett, H. M. 96th Foot.

Tried by General Court Martial at Cawnpore, 24th September 1850.

Charges.—1st, Disobedience; 2nd, Highly insubordinate and violent conduct in striking Lance Corporal John Horam; 3rd, Continued violence and most insubordinate conduct in again striking Lance Corporal John Horam.

Finding.—Guilty.

Sentence.—Imprisonment for five months, with solitary confinement for the first fourteen days of the first month

and the last fourteen days of the last month.—*Approved and confirmed.—Head Quarters, 5th October* 1850.

Supersession of Native Officers.

HEAD QUARTERS, SIMLA, 18TH OCTOBER 1850.

The Commander in Chief, having reason to believe that the G. O. C. C. of the 5th May 1837 is very generally misunderstood and injudiciously applied, desires to remind Commanding Officers that this order refers exclusively to the promotion of Sepoys to Naick, and in no way authorizes the very objectionable practice which has of late, in many cases, obtained of undervaluing and disregarding the claims of long service in old and meritorious Non-commissioned Officers, who have nothing against their characters or conduct, but who have been passed over in promotion and superseded by men, not of more worth but of more pretension and smarter appearance; a partial and improper exercise of authority which, if persevered in, cannot fail to be productive of disaffection and discontent, not only in the minds of those whose claims and merits have been so undeservedly overlooked, but also in Regiments generally.

A case of the above description has been brought to His Excellency's notice, of a Naick having been promoted over no fewer than 17 of his seniors, for the sole purpose of gaining for him the situation of Drill Havildar. In the same Regiment a Sepoy, 23rd on the roll of his company and 216th on the gradation roll of the Regiment, was at the same time promoted and appointed Drill Naick. It is impossible to conceive that the Naicks passed over in this case were all unworthy and unfit for advancement, or for the situation of Drill Instructor; or that the Sepoys superseded were in like manner all disqualified and unfit to

be made Naicks: these capricious and injudicious promotions were therefore very properly cancelled by the superior authority on the spot.

The Commander in Chief now directs that the fullest consideration and attention shall invariably be given to the claim of seniority in every grade, where no such disqualification as want of respectability, of character, or other equally proper and just cause of objection to the advancement of the seniors, shall exist; and in order to enable General Officers and Brigadiers to use their authority in enjoining the strictest observance of this order in the Regiments under their control, Commanding Officers in promulgating promotions, made by them in Regimental Orders, will at the same time publish the names of those passed over and the causes of their supersession.

Evidence of claim to Family Pension.

HEAD QUARTERS, SIMLA, 19TH OCTOBER 1850.

Many instances of fraudulent admission to family pension having of late been discovered, resulting in numerous Courts Martial, His Excellency the Commander in Chief, with the view of establishing additional checks to imposition, and of securing proof of the evidence given by parties in support of such cases, is now pleased to direct that on all occasions of the assembly of Committees for the investigation of claims to pension, Officers commanding and in charge of the companies to which the men had belonged, shall invariably attend, and summarily enter on the first page of the sheets of record which were appropriated to the deceased during life, the evidence which may be given in support of the claim to pension preferred by the heir, as thus:

"Pension on account of the late Ram Sing, Naick, claimed by Simkee his widow, at a Committee held at Barrackpore on the 21st June —."

"Claim supported by Dabee Sing and Toolsee Sing, Sepoys, of No. — Company, who have solemnly affirmed before the Committee that they know the claimant to be the widow of the deceased."

This entry is to be at once signed by the parties who have given evidence, and attested by the Officer commanding or in charge, and the Pay Havildar of the Company. The sheets are then to be returned for deposit in the Adjutant's Office, and may be produced at any time hereafter, as an original document before a Court Martial or Court of Inquiry, in proof of the evidence given in the case.

Courts Martial.

Shaick Kurrimbux, Havildar, Calcutta Native Militia.

Tried by General Court Martial at Barrackpore, 23rd September 1850.

Charges.—1st. For disgraceful conduct, in having at Allipore, on the 16th of July 1850, fraudulently caused to be concealed in his own house a bag containing cash to the amount of Rupees 340, or thereabouts, the property of Government, and part of the pay of the Regiment, with the intent to appropriate the same to his own use, and thereby to injure Government.

2nd. For having, at the same place, on the afternoon of the same day, falsely reported to the Adjutant of the Regiment that the whole of the cash which had been that day under his, the Havildar's, charge, had been stolen in an affray which had taken place near the lines.

Finding.—Guilty.

Sentence.—Reduction to the ranks, and imprisonment with hard labor for two years.—*Approved and confirmed.* —*Head Quarters, 12th October* 1850.

Summund Khan, Duffadar, 1st Irregular Cavalry.

Tried by General Court Martial at Lahore, 10th October 1850.

Charges.—For conduct highly unbecoming a Non-commissioned Officer, in the following instances:—

1st. In having, at Lahore, on or about the 31st of May 1850, first stated on oath, which he voluntarily took, that he knew Boawlee Bux, Sowar, of the same troop, to be a Khoodaspah (or horse owner) whereas he knew him to be a Bargeer of Murdan Khan, Sowar, same troop; and having subsequently, at Lahore, on or about the 31st of May 1850, falsely stated, that he did not know whether he was or not, but that he was entered as such in the rolls of the Regiment.

2nd. In having, at Lahore, on or about the 31st of May 1850, repeatedly and falsely stated upon oath, which he voluntarily took, after Lieutenant Chamberlain, his Commanding Officer, had duly warned him to be careful in what he stated, that Nishanburdur Amanut Khan and Hamed Khan, Sowar, had never been to his house, and that he had never conversed with them on the subject of the said Boawlee Bux, or on the road returning from leave; whereas he did converse with the persons above-named at his own village, and also on the road returning from leave, on or about the latter end of May 1850.

3rd. For aiding and abetting in deceiving his Commanding Officer, as regarded the said Boawlee Bux, by not stating all that he knew on the subject at Lahore, on

or about the 31st May 1850, when he had at his own house about the middle of May 1850, and in the lines of the Regiment on arrival at Lahore, on or about the end of May 1850, declared his intention of speaking to the fact of Boawlee Bux, being a Bargeer and not a Khoodaspah.

4th. In having, at Simla, on or about the 1st of July 1850, preferred an improper and unjustifiable complaint, against his Commanding Officer, to His Excellency the Commander in Chief, stating, that he had been induced by his threats to resign the service of Government, thereby imputing tyranny to his immediate Commanding Officer, which he well knew to be false.

Finding.—Guilty.

Sentence.—Dismissal from the Service.—*Approved and confirmed.*

Recommendation to mercy.—The Court beg respectfully to recommend the prisoner to the merciful consideration of His Excellency the Commander in Chief, in consequence of his length of service.

Remarks by His Excellency the Commander in Chief.—In consequence of the prisoner's good character and long service, I will commute his sentence to that of being placed two steps lower in the list of the rank he held.—*Head Quarters, 17th October* 1850.

Private J. H. Kettlewell, H. M. 18th Royal Irish Regiment.

Tried by General Court Martial, at Meerut, 11th September 1850.

Charge.—Striking Lance Sergeant James Fagan a severe blow with his fist.

Finding.—Guilty.

Sentence.—Imprisonment for twelve months, with solitary confinement for the first fourteen days of the 2nd, 4th, 6th, 8th, 10th and 12th months.

I am obliged to revise the proceedings and to request that the Court will read and attend to the letter from the Horse Guards, dated 20th September 1837.—*Head Quarters, 21st September* 1850.

Revised Sentence.—Imprisonment for eight months with solitary confinement for the first fourteen days of the 2nd, 4th, 6th and 8th months.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—In consideration of the prisoner's good character, I will remit two months of his sentence. —*Head Quarters, 17th October* 1850.

Subadar Soobah Sing, 1st Regiment Seikh Local Infantry.

Tried by General Court Martial at Jullundur, 15th October 1850.

Charge.—Drunkenness on duty, while commanding a guard on the march.

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowances for four months.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—Though I have confirmed the proceedings,

I consider that the prisoner has been very leniently dealt with by the Court.—*Head Quarters, 24th October* 1850.

Gunner Robert Gibbs, 1st Company, 3rd Battalion Artillery.

Tried by General Court Martial at Dum Dum, 1st October 1850.

Charges.—1st. For having, at Dum-Dum, on the 26th August 1850, fallen out of the Squad with which he was at drill, without permission, and repeatedly refused to fall in again when ordered to do so by Drill Sergeant J. Jones, of the 3rd Battalion Artillery, in charge of the Squad.

2nd. For having, at the same time and place, offered violence to his superior Officer, the said Drill Sergeant, J. Jones, being in the execution of his office, by advancing upon him at the charge with a musket and fixed bayonet.

3rd. For having, at the same time and place, when ordered into confinement, insubordinately thrown his musket and accoutrements upon the ground.

Finding.—Guilty.

Sentence.—Imprisonment for one year.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—In accordance with the letter from the Horse Guards, dated 20th September 1837, and made applicable to the Company's European troops, and because the prisoner is a recruit, whose character has been good up to the time of his pre-

sent delinquency, I mitigate his punishment to four (4) calendar months.—*Head Quarters, 21st October* 1850.

Private Charles Page, H. M. 60th Royal Rifles.

Tried by General Court Martial at Kussowlie, 15th October 1850.

Charge.—For highly insubordinate conduct.

1st. In having, at Kussowlie, on or about the morning of the 28th August 1850, when in imprisonment by award of a European District Court Martial, positively refused to parade in marching order for the purpose of performing hard labor, it being part of the said award.

2nd. For wilfully destroying his knapsack, it being part of his regimental necessaries.

Finding.—Guilty.

Sentence.—Fifty lashes; three months' imprisonment with hard labor; and stoppages to make good the cost of the knapsack destroyed.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—Conspicuous valour is a noble quality in a Soldier; but the possession of one virtue is no excuse for the breach of a higher virtue: and *discipline* is a higher virtue than any other among Soldiers.

In compliment to the excellent Regiment to which the prisoner belongs, and to its no less excellent Commanding Officer, I allow Lieutenant Colonel Bradshaw to remit the flogging, if he thinks such leniency will have a proper effect in improv-

ing the conduct of the prisoner.—*Head Quarters, Simla, 21st October* 1850.

Ensign Edward Hunter, 24th N. I.

Tried by General Court Martial at Benares, 23rd September 1850.

Charge.—For conduct unbecoming an Officer and a Gentleman, in the following instances :

1st. In having failed to fulfil his engagement to liquidate, by monthly instalments, a loan from the North Western Bank received by him at Lucknow in the month of May 1847, made to him on that condition, and for which the late Dr. Glennie was security, in consequence of which failure, the estate of the late Dr. Glennie was charged by the Bank at Meerut, in the month of March 1850, with about Rupees 400, on his, Ensign Hunter's, account.

2nd. In having, at Goruckpore, on or about the 9th of April 1850, on false pretences, obtained leave to visit Benares from the 18th to the 30th of that month, ostensibly for the purpose of settling his debt to the estate of the late Dr. Glennie; and in having in a letter to the Adjutant of the Regiment, dated Goruckpore, 14th April 1850, falsely declared that his visit to Benares had reference to that object, whereas he thereupon made no arrangement for a settlement with the estate of the late Dr. Glennie, and on his arrival at Benares, on or about the 20th of April 1850, he informed the Assistant Adjutant General of the Division that his sole motive for obtaining leave of absence was to endeavour to obtain an audience of the Major General Commanding the Division, in order to make representations derogatory to his Commanding Officer, to the Adjutant of the Regiment, and to another Officer of that corps.

3rd. In having taken occasion of his visit to Benares, mentioned in the 2nd instance, in an interview with the Assistant Adjutant General, on or about the 20th April 1850, disrespectfully and groundlessly to represent his Commanding Officer as incompetent to discharge his duties, and falsely to accuse the Adjutant of the Regiment of writing letters to him, Ensign Hunter, purporting to have been written by order of the Commanding Officer, but really written without such authority.

Finding.—1st instance, Guilty; 2nd instance, Guilty "of "having in a letter to the Adjutant of the Regiment, dated "Goruckpore, 14th of April 1850, falsely declared that his "visit to Benares had reference to settling his debt to the "estate of the late Dr. Glennie, whereas, on his arrival at "Benares, on or about the 20th April, he informed the "Assistant Adjutant General of the Division that his sole "motive for obtaining leave of absence was to endeavour "to obtain an audience of the Major General Commanding "the Division in order to make representations derogatory "to his Commanding Officer, to the Adjutant of the Re-"giment: and to another Officer of that corps;" 3rd instance and preamble, Guilty.

Sentence.—To be cashiered.—*Approved and confirmed.*—*Head Quarters, 31st October* 1850.

Private John Murphy, H. M. 70th Foot.

Tried by General Court Martial at Fort William, 14th October 1850.

Charge.—For having, on the 8th of September 1850, between the hours of 4 and 5 o'Clock A. M., been asleep on his post when on sentry over the Ex Dewan Moolraj, a State prisoner in Fort William, Calcutta; and for having,

at the same time and place, divested himself of his jacket and accoutrements.

Finding.—Guilty.

Sentence.—Imprisonment for six months.—*Approved and confirmed.*

The Court beg respectfully to record their opinion that the prisoner, John Murphy, is a man of weak intellects.

Remarks by His Excellency the Commander in Chief.—The Adjutant General of Her Majesty's Forces will be pleased to direct an enquiry to be made regarding the state of the prisoner's mind, and whether he is fit for the service.*—*Head Quarters, 31st October* 1850.

Private John Chamberlain, H. M. 14th Light Dragoons.

Tried by General Court Martial at Lahore, 28th October 1850.

Charges.—1st, Desertion; 2nd, Having lost or made away with regimental clothing and necessaries.

Finding.—Guilty.

Sentence.—Transportation for seven years.—*Approved and confirmed.—Head Quarters, Simla, 4th November* 1850.

Private John Connors, H. M. 18th Royal Irish.

Tried by General Court Martial at Meerut, 14th October 1850.

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* The enquiry ordered having been made, the Commander in Chief directs that the sentence is to be carried into effect, under medical supervision, and that a monthly report be made to the General Officer commanding the Division within which the prisoner may be confined.

The sentence of imprisonment is to be reckoned from the 16th of October last.—*Adjutant General's Office, Simla, 23rd December* 1850.

Charge.—Having stabbed Private James Kelly with a bayonet and inflicted a wound in his left breast, with intent to do him some grievous bodily harm.

Finding.—Guilty.

Sentence.—Imprisonment for six months with solitary confinement for the last fourteen days of the 2nd, 4th and 6th months.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—The Court has neglected to examine witnesses as to character, which is not only permitted by the Articles of War, and *ordered*, without latitude, by the Queen's Regulations, but, in this instance, was especially necessary, that I might have some "guidance in sanctioning the punishments being carried into effect." As I have not this guidance, I authorize the Commanding Officer of Her Majesty's 18th Regiment to mitigate the sentence at his own discretion, if the prisoner's character has hitherto been that of a good Soldier. If not, inflict the punishment.—*Head Quarters, 4th November* 1850.

Private James Tongue, H. M. 29th Foot.

Tried by the same Court Martial, 16th October 1850.

Charge.—Desertion.

Finding.—Guilty.

Sentence.—(Previous convictions and general very bad character) Fifty lashes and imprisonment for three months.

Revised.—Her Majesty's Regulations prohibit corporal punishment for desertion. It is only ap-

plicable to the crimes stated in page 230, Section 28.—*24th October* 1850.

Revised Sentence.—Imprisonment for six months with solitary confinement for the last fourteen days of the 2nd, 4th and 6th months.—*Approved and confirmed.—Head Quarters, 4th November* 1850.

Major John Bartleman, 44th N. I.

Tried by General Court Martial in Fort William, 19th October 1850.

Charge.—1st. For scandalous infamous conduct, unbecoming the character of an Officer and a Gentleman, in having, at Barrackpore, under cloak of the almost paternal authority with which he had been entrusted by the father of Mrs. Shelton, the wife of Lieutenant Shelton, 38th Regiment Native Infantry, in pursuance of a base endeavour to seduce the affections of that Lady, written to her, on or about the 22nd of August 1850, a highly unbecoming note, and afterwards authorized a person named W. P. Downing, an attorney, to communicate clandestinely with Mrs. Shelton in his behalf.

2nd. For most disgraceful conduct in having, at Barrackpore, on the evening of the 24th of August 1850, persisted in entering the house of Lieutenant Shelton, with the express purpose of speaking to that Officer's wife, in his presence, in disregard of Lieutenant Shelton's positive and repeated prohibition; in having persisted in remaining there, in spite of Lieutenant Shelton's remonstrances, and opposition; in having, while there, basely availed himself of his superior strength to inflict personal chastisement on Lieutenant Shelton; and in having, shortly after leaving his house, returned again in company with Lieutenant

Shelton's Commanding Officer, and in having taken that opportunity to communicate with Mrs. Shelton.

3rd. For disgraceful conduct in having, at Barrackpore, a day or two after these occurrences, clandestinely received from Mrs. Shelton a note on the subject of them, which note he brought forward at a Court of Inquiry, on the 27th of August 1850, as a justification for his intruding himself into Lieutenant Shelton's house, as alleged in the 2nd charge.

Finding.—1st charge, Guilty of conduct unbecoming the character of an Officer and a Gentleman, in having, at Barrackpore, in pursuance of an endeavour to seduce the affections of Mrs. Shelton, wife of Lieutenant Shelton, 38th Light Infantry, written to her, on or about the 22nd of August 1850, a highly unbecoming note; but the Court acquit him of the rest of this charge.

On the 2nd charge, Guilty, with exception of the words "basely availing himself of his superior strength," of which they acquit him.

On the 3rd charge, Guilty, with exception of the words "disgraceful conduct," of which they acquit him.

Sentence.—To be cashiered.—*Confirmed.*

Recommendation by the Court.—The Court, having performed its duty, beg to bring to the notice of the Commander in Chief that, by the Articles of War, they have been compelled to pass the extreme sentence of cashiering upon the prisoner; but considering the highly peculiar nature of this investigation, the dangerously trying position in which the prisoner found himself placed by circumstances resulting from one fault, which, however reprehensible, has still not always been considered as necessarily subversive of military discipline, the Court is induced to recommend the long service of the prisoner to any favorable

consideration which the clemency of the Commander in Chief may be disposed to extend.

Remarks by His Excellency the Commander in Chief.—The Court recommends the prisoner to the favorable consideration of the Commander in Chief, which in plain terms, is this ; to restore Mr. Bartleman to the command of the 44th Regiment, after the Court has branded him as "*guilty of conduct unbecoming the character of an Officer and a Gentleman*" in one instance ; and in another, as "*guilty of disgraceful conduct.*" I cannot understand the conduct of the Court, in thus endeavouring to throw upon the Commander in Chief the odium of refusing that, which its own sentence renders it impossible for him to grant, without insulting the Officers of the Bengal Army in general, and those of the 44th in particular ! I must leave the Members of the Court to their own reflections on such a proceeding, feeling confident that many must have been adverse to this recommendation.—*Head Quarters, 13th November* 1850.

Private John Burns, H. M. 9th Lancers.

Tried by General Court Martial at Wuzeerabad, 31st October 1850.

Charges.—1st, Drunkenness when warned for Regimental night guard duty ; 2nd, Having at the same time twice struck Sergeant John Crotty on the head with his fist.

Finding.—Guilty.

Sentence.—(Previous conviction and bad character) fifty lashes; and twelve months' imprisonment with solitary confinement for the last fourteen days of the 2nd, 4th, 6th, 8th, 10th and 12th months.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—The Court should have attended to the letter from the Horse Guards, dated 20th September 1837. I therefore mitigate the imprisonment to the term of eight (8) months, and 56 days' solitary confinement during that period.—*Head Quarters, 12th November* 1850.

Gunner Jeremiah Howe, 2nd Company, 2nd Battalion Artillery.

Tried by General Court Martial at Peshawur, 12th November 1850.

Charge.—Having knocked down with his clenched fist and afterwards kicked Bombardier John Leonard, his superior Officer in the execution of his office.

Finding.—Guilty.

Sentence.—(Previous convictions and bad character) Transportation for seven years.—*Approved and confirmed.* —*Head Quarters, Camp, 24th November* 1850.

Lieutenant R. F. Fanshawe, Invalid Establishment, and Adjutant and Quarter Master of the European Invalids at Chunar.

Tried by General Court Martial at Secrole, Benares, 29th October 1850.

Charges.—1st. For unofficerlike conduct and direct disobedience of the standing General Order of the 30th of

December 1823, in having, at Chunar, at various times between the 16th May 1848 and the 2nd of August 1848, borrowed several sums of money, amounting in all to nine hundred and twenty-two Rupees and eight Annas, (922-8-0) or thereabouts, from Sergeant George Hind, of the European Invalids at Chunar.

2nd. For highly unbecoming conduct, in having, at Chunar, between the 6th of January 1849 and the 28th of May 1849, occupied and kept possession of a house belonging to a widow named Zinut (commonly called French) without her consent and contrary to her wish; and for having withheld from her the rent of the said house, 50 Rupees per month, for the whole or a great part of the period of his occupation, until forced to pay it by awards of Courts of Request at the suit of Mrs. French, the rent for February, March, April and May, 1849, being still unpaid to Mrs. French.

3rd. For highly unbecoming conduct, in having, at Chunar, between the 26th of June 1848 and the 29th May 1849, inclusive, or for various periods respectively within that time, withheld their just wages from the undermentioned servants in his employ, viz. Soobratie, Besesur, Ghoon Ghoon, Dursun, Buchoo, Phulloo, Hingun, Beharee, Bustee, Sajeawun, Kalechurn, Berjoo, Bechun, Ramjanee, Sona; thereby causing distress and loss to these individuals.

4th. For having, at Chunar, between the 18th April 1849 and the 3rd June 1849, fraudulently misapplied the sum of one hundred and thirty-four rupees and one pie, (Rs. 134-0-1) or thereabouts, being the aggregate of the estates of Bombardier P. Burke, Gunner W. Brown and Private T. Barron, deceased, with which he, Lieutenant Fanshawe, was entrusted for the purpose of distri-

bution to the heirs of the deceased, as the Officer in charge of the companies to which the deceased men belonged.

5th. For having, between the 1st of March 1848 and the 3rd of June 1849, fraudulently misapplied the sum of thirty-four rupees, or thereabouts, drawn by him, as Adjutant of the European Invalids, which ought to have been paid, and is still due, to School Master Sergeant Walter Law, of the European Invalids.

Of the first charge, guilty.

Of the second charge, guilty, with the exception of the word "highly," substituting "about the middle of March" for "the 6th January," excepting the words "the whole or a great," excepting that there was only one award of a Court of Requests, and that the rent for February, March, April and May 1849 is still unpaid to the extent only of Company's Rs. 182 12 1 (one hundred and eighty-two rupees, twelve annas, and one pie); also that it appears the prisoner did not originally occupy the house without the consent of the owner.

Of the 3rd charge, not guilty, and acquits him thereof. The Court find that the prisoner did owe the wages to the servants as stated in the charge, excepting to Phulloo, Hingun, Bustee and Ramjanee, but under the peculiar circumstances of the case, attach no guilt to the fact.

Of the fourth charge, guilty, with the exception of the word "fraudulently," and substituting "4th August 1848," for "18th April 1849."

Of the fifth charge, guilty, with the exception of the word "fraudulently."

Sentence.—To be very severely reprimanded.—*Confirmed.*

Remarks by His Excellency the Commander in Chief.—I am unable to understand upon what

principle the Court found Lieutenant Fanshawe guilty of the first charge and yet fails to cashier this Officer? An Officer who is capable of writing a begging letter (asking for money) to a Sergeant under his command, is unfit to hold a commission, even had this act not been a direct breach of the General Orders, and had been the only one of which he has been convicted!

I am equally unable to understand upon what grounds the Court acquits the prisoner on the *third* charge? The Court finds that he, a British Officer, did owe money to his servants; it is also proved that these poor men were much distressed thereby and, in consequence, were obliged to borrow money! Moreover, while Lieutenant Fanshawe did not pay these men their wages, this Officer kept three horses (for I am warranted in taking it for granted that he did not keep three grooms without he kept three horses) his duty being confined to the Fort of Chunar!

I do not know to what "*peculiar circumstances*" the Court can possibly refer, to excuse such an act of dishonesty and want of feeling? The only "*peculiar circumstance*," I can find, is that Lieutenant Fanshawe chose to contract debts which he well knew that he could not pay! I cannot agree with the Court in its extraordinary opinion that "*no guilt attaches to the fact*" of not paying servants their just wages and forcing them to borrow money

in their distress! I am inclined to believe that if the Government kept the Members of this Court eight months or a year out of *their* pay, we should hear very different sentiments expressed.

Reprimand.—Lieutenant Fanshawe! your sentence is to be "*severely reprimanded.*" I cannot understand why the Court Martial did not cashier you, as, in my opinion, it ought to have done. Public duty makes me regret that you have escaped from a just punishment, but I shall rejoice if the very lenient punishment inflicted may improve your conduct as a British Officer.—*Head Quarters, 27th November* 1850.

Private George Andrews, 2nd European Bengal Fusiliers.

Tried by General Court Martial at Agra, 23rd November 1850.

Charges.—1st. Having, at Agra, on the 22nd of October 1850, thrown a bottle at, and therewith violently struck Sergeant Daniel Donovan, of the 2nd European Bengal Fusiliers, his superior Officer, being in the execution of his office, at the same time using disrespectful and abusive language to the said Sergeant.

2nd. Having, at Agra, between the 15th and 22nd October 1850, lost through neglect, or designedly made away with, one cloth shell jacket, being an article of his regimental necessaries.

Finding.—Guilty.

Sentence.—Imprisonment for eight months with solitary confinement for the last fourteen days of the 2nd, 4th, 6th, and 8th months and stoppages for the jacket mentioned

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in the 2nd charge.—*Approved and confirmed.—Head Quarters, 4th December* 1850.

Gunner Henry Chafer, 3rd Company, 5th Battalion Artillery.

Tried by General Court Martial, at Jullundur, 22nd November 1850.

Charge.—For disgraceful conduct in the following instances:

1st. In having, at Mooltan, on or about the 5th of June 1850, received and had in his possession a bill of exchange for Rs. (18 6 0) eighteen and six Annas, dated the 20th June 1849, drawn by the Deputy Collector at Ferozepore on the Deputy Collector at Jullundur, the property of Sergeant W. Henderson, of the Commissariat department, well knowing the same to have been stolen.

2nd. In having, at the same time and place fraudulently endorsed the bill of exchange, specified in the first instance, to himself, by writing thereon an order purporting to have been made by Sergeant Henderson, and making the same payable to him, Gunner Chafer; and in having transmitted the said bill of exchange with such fraudulent and forged endorsement to the Deputy Collector at Jullundur for payment, with intent to injure Sergeant Henderson.

Finding.—Not Guilty.—*Approved and confirmed.—Head Quarters, Camp, 6th December* 1850.

Sergeant John Bird, 2nd Troop, 1st Brigade Horse Artillery.

Tried by General Court Martial at Peshawur.

Charge.—For disgraceful conduct, in having, at Peshawur, on or about the 10th of October 1850, indecently

assaulted Ann Foley, his step-daughter, a child between ten and eleven years of age, and attempted to ravish her.

Finding.—Guilty, with exception to the words "and attempted to ravish her."

Sentence.—Reduction to the rank and pay of a Gunner, and imprisonment for six months.—*Approved and confirmed.—Head Quarters, 7th December* 1850.

Ressaidar Khodayar Khan, 5th Irregular Cavalry.

Tried by General Court Martial at Mooltan, 26th November 1850.

Charge.—Highly unbecoming conduct, in having, at Mooltan, on the 22nd October 1850, when on parade with the Regiment and checked by the Commanding Officer for being out of his proper place, disrespectfully replied to his Commanding Officer; and in having, when told if he spoke in that way he would be placed under arrest, insolently taken off his sword and thrown it down in front of his Commanding Officer, repeatedly saying "place me in arrest," and then, quitting the parade, without leave, proceeded to the lines of the Regiment.

Finding.—Guilty.

Sentence.—Suspension from rank, pay and allowance for three months.—*Approved and confirmed.*

Recommendation.—The Court having performed the painful duty of awarding punishment in strict conformity to an Article of War, beg, unanimously, and respectfully, to recommend the case of Ressaidar Khodayar Khan, of the 5th Irregular Cavalry, to the merciful consideration of His Excellency the Commander in Chief, on the grounds of the prisoner's long and faithful service of 36 years, the favorable testimonials he has produced, and in considera-

tion of the prisoner's age, which may palliate infirmity of temper though it cannot altogether excuse it.

Remarks by His Excellency the Commander in Chief.—1st. I have great pleasure in attending to the recommendation of the Court in favor of this old and distinguished Officer, but he is to be told that such unjustifiable ebullitions of ill temper cannot be submitted to, and if he again transgresses, he will not again be pardoned. He is to return to his duty.

2nd. The last witness for the prosecution states, in substance, that when a junior Officer is a more sharp and clever man than a senior Officer, the junior is given the command of the squadron while the senior commands the troop on parade. This may be, and I believe is the system in many Irregular Regiments, and a very good one to make a show, but not to make a Regiment fit for service. It is well calculated to injure discipline and produce Courts Martial, as it has done in the present case.—*Head Quarters, 7th December* 1850.

Private William McKenzie, 1st European Bengal Fusiliers.

Tried by General Court Martial at Lahore, 25th November 1850.

Charges.—1st. For insubordinate conduct, in having, at Lahore, on the 9th of October 1850, declared on parade that he would not parade for inspection, which he had been directed to do as a punishment for previous misconduct; and in having, in pursuance of that determination, fallen

out of the ranks and thrown his musket and accoutrements on the ground.

2nd. For gross insubordination, in having, at Lahore, on the 12th October 1850, at the orderly room of the Regiment, after having been warned for trial by a District Court Martial, said to the Adjutant of the Regiment "you may as well give me a General Court Martial, for I will not shoulder a firelock again in the Regiment," or used words to that effect.

Finding.—Guilty.

Sentence.—Fifty lashes and six months' imprisonment.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—1st. I pardon the prisoner and desire his Commanding Officer to admonish him as to his future behaviour, and that this sort of sulky conduct cannot be permitted.

2nd. I desire that the Commanding Officer of the Regiment will be so good as to inform me—

First.—Why the Officer commanding the company, to which the prisoner belonged, did not tell off his own company?

Secondly.—What Officers were on the parade?

Thirdly.—Why the Officer of the company did not speak to, and warn the prisoner of the danger he was incurring by his loss of temper and consequent insubordination?

Fourthly.—Why the Commanding Officer did not himself speak to the prisoner and admonish him, or if he did, why was not this stated on the

prosecution by the Prosecutor? All these matters ought to have been elicited by the Court, as the Prosecutor omitted to do so. It is the duty of a Commanding Officer to do all in his power to prevent crime by admonition; and it is the duty of a Court, by questions, to ascertain how far a prisoner is really guilty in spirit as well as in fact. As far as I am informed by the proceedings, I think that the prisoner was guilty in fact, but that a little admonition and cool reasoning with him by the Commander of his company or of the Regiment would have put him right; and therefore I have pardoned him in the belief that he will see his conduct was wrong, and in future that he will conduct himself so as to prove my leniency has not been misplaced.—*Head Quarters, 4th December* 1850.

Gunner William Baker, 3rd Company, 2nd Battalion Artillery.

Tried by the same Court Martial, 29th November 1850.

Charges.—1st. For insubordinate conduct, at Lahore, on the night of the 9th October 1850, in having refused to return to his cot when ordered by his superior Officer, acting Staff Sergeant W. Hedley, of the same company.

2nd. For insubordinate conduct, in having, at the same time and place, made use of highly abusive language to the said acting Staff Sergeant Hedley, drawn a bayonet on the escort ordered to convey him to the guard room, and threatened to stab any one who approached him.

3rd. For having, at the same place, on the 13th of October 1850, been drunk when a prisoner in the Artillery division quarter guard.

4th. For having, at the time and place last stated, thrown two glass bottles at, and with one of them struck, his superior Officer, Corporal J. Hill, of the 2nd Battalion of Artillery, being in the execution of his office.

5th. For having, at the time and place last stated, thrown a brick at, and therewith struck Gunner R. Savage, of the 2nd Battalion of Artillery, on duty at the said guard, and one of an escort ordered to place him in close confinement.

Finding.—Guilty.

Sentence.—Fifty lashes and eight months' imprisonment.—*Approved and confirmed.—Head Quarters, Camp, 7th December* 1850.

Private William Hafner, H. M. 24th Foot.

Tried by General Court Martial at Wuzeerabad, 20th November 1850.

Charge.—For having, at Sealkote, on the 7th day of October 1850, assaulted Private Patrick Walsh, of the same Regiment, by striking and kicking him on the head; and for having, thereby, feloniously killed the said Patrick Walsh, by causing mortal injury to his brain, of which he soon after died.

Finding.—Guilty.

Sentence.—Transportation for seven years.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—The Soldiers of this Army will be so good as to observe what drunkenness leads to. Here is

a man condemned to experience all the sufferings of transportation, with the additional horror of having slain his own comrade without provocation! No comment is required.—The facts speak for themselves to every honest and right-minded man. —*Head Quarters, 3rd December* 1850.

Private John Walsh, H. M. 80th Foot.

Tried by General Court Martial at Dinapore, 24th October 1850.

Charges.—1st. For highly unsoldierlike conduct in having, in barracks, at Dinapore, on or about the 23rd of September 1850, discharged a musket loaded with powder and ball, while in the act of raising it to take aim at Color Sergeant John Bish, 80th Regiment, with intent to injure that non-commissioned Officer.

2nd. For having, then and there, destroyed one round of balled ammunition issued to him for the public service.

3rd. For having, then and there, by wilful violence rendered unserviceable a musket issued to him for the public service.

4th. For having, at or about the time and place specified in the preceding charges, lost through neglect, or designedly made away with, the following articles of Regimental necessaries, viz.; one pair of white trowsers, one pair of blue trowsers, one white shirt, one flannel shirt, one pair of braces, and two pairs of boots.

Finding.—Guilty, exception to the words in the first charge "while in the act of raising it to take aim at Color Sergeant John Bish, 80th Regiment, with intent to injure that non-commissioned Officer."

Sentence.—(No former convictions and general good character) Imprisonment for six months, with solitary confinement for the first fourteen days of the 1st, 2nd, 3rd and 4th months; and stoppages for the musket and other articles damaged, lost, or made away with.

Revised.—The prisoner loaded his musket, and must have had some *object* in committing this dangerous and grave breach of discipline? He then came out of his barrack room, and instantly fixed his eyes upon Sergeant Bish, whom he singled out among the three non-commissioned Officers that were there.—He was in a state of agitation, showing thereby that he meditated some mischief.—With his eyes still fixed on Sergeant Bish he raised his firelock and discharged it, as he raised it, in the direction of Sergeant Bish.—His finger must therefore have been on the trigger; he then dashed his musket on the ground in a rage, and fled! All this is sworn to by those present, who all give it as their opinion that he intended to fire at the Sergeant! The questions which naturally arise are: Why did the prisoner load his musket? Why did he cock it? Why did he turn towards Sergeant Bish when he came out of his barrack room? Why did be fix his eyes upon Sergeant Bish, who was lying down? Why did he raise his musket towards Sergeant Bish, with his eyes still fixed upon the Sergeant? Why did he fire his musket? Why did all present think he intended to shoot Sergeant Bish? The prisoner makes *no defence whatever.*

He meets all accusations *by silence!* Yet the Court acquit him of "*an intent to injure that non-commissioned Officer.*" For my part, I am obliged by the evidence which is here recorded to consider that Private Walsh made a deliberate attempt to murder Sergeant Bish, and that he only failed because his agitation made him press the trigger too strongly as he raised his weapon to accomplish his murderous purpose. Such is the view I take of the evidence, and I therefore beg of the Court to reconsider its finding and sentence.

Revised Finding and Sentence.—Court adhere to their former finding and sentence.—*Disapproved but confirmed.*

Remarks by His Excellency the Commander in Chief.—The finding and sentence appear to me to be so in the face of evidence that I am unable to understand them, or on what ground the Court bases them.—*Head Quarters, 3rd December* 1850.

Phyoo Khan, Jemadar, 2nd or Hill Regiment of Seikh Local Infantry.

Tried by General Court Martial at Hosheyarpore, 3rd December 1850.

Charges.—1st. For disobedience of orders and gross neglect of duty, in having, at Naree, on or about the 21st of July 1850, when in charge of prisoners being conveyed from Kangra to Hosheyarpore, failed to have four sentries at a time placed over the said prisoners.

2nd. For having, at the same time and place, through carelessness and neglect of proper precautions, suffered Assa Sing, one of the prisoners under his charge, to escape.

Finding.—Guilty.

Sentence.—Dismissal from the service.—*Approved and confirmed.*

Recommendation by the Court.—The Court unanimously solicit His Excellency the Commander in Chief's consideration of the very high character given to the prisoner, and testimonial to his services in the field by his Commanding Officer.

Remarks by His Excellency the Commander in Chief.—It is with great difficulty that I pardon this Officer at the earnest entreaty of the Court. He was given full and distinct orders by his Commanding Officer; he disobeyed those orders, or did not take the necessary precautions that an Officer was bound to take, even had he not been warned by his Commanding Officer and Adjutant, as he had carefully been. However, I will pardon him at the entreaty of the Court, and on the high character given of him by his Commanding Officer, Major Ferris. He won his present rank by bravely capturing a colour from the enemy, and I hope that in thus pardoning him I shall not injure discipline.—*Head Quarters*, 12*th December* 1850.

Issra Sing and Goordoss, Sepoys, 2nd or Hill Regiment of Seikh Local Infantry.

Tried by the above Court Martial on the same day.

Charge.—For having, at Naree, on or about the 21st of July 1850, when posted as sentries in charge of prisoners, through carelessness and neglect, suffered Assa Sing, one of the said prisoners, to escape.

Finding.—Issra Sing, Not Guilty; Goordoss, Guilty.

Sentence on Goordoss.—Imprisonment with hard labor for six months.—*Approved and confirmed.*

Remarks by His Excellency the Commander in Chief.—I commute the sentence to three months' simple imprisonment, and I would not inflict that, had the prisoner not answered that his prisoners were all present. My reason for this leniency is, that his prisoners were not placed properly under the charge of Goordoss, and it was not clearly shown to be a matter of any difficulty for a prisoner to escape. The prosecutor ought to have shown that the prisoners were so properly guarded that if the Sentry was vigilant no escape could have occurred. This has not been done. When Officers have prisoners to guard, they ought to take such precautions as to leave Sentries no excuse whatever for allowing one to escape.—*Head Quarters, Camp Ferozepore, 12th December* 1850.

Farewell Address

To the Officers of the Army.

It would neither be justifiable nor becoming in me to interfere with the private affairs of Officers in the Army which I have the honor to command, so long as those private affairs do not interfere with the public service. But when they injure the public service, when they reflect disgrace upon our uniform, it becomes my duty to draw attention to

the subject and in this public manner to call upon the Officers of the Queen's and Company's services to exert themselves in maintaining the honor of their Regiments, by assisting the Commander in Chief in putting a check upon those whose debts are no less injurious to the fair fame of the Military profession, than discreditable to their Regiments and ruinous to themselves.

It is more than one year since I received a very excellent letter, from a Brigadier, upon this important subject. I had then just assumed my present command. I waited to see more clearly how matters stood, before I felt justified in touching upon affairs of so private a nature. From that time to this day a considerable portion of my time has been taken up in the examination of weekly, if not daily, complaints against Officers for non-payment of debts; and, in some instances, the ruin of tradesmen has been consequent on that cause. There is, therefore, a call upon me for this order; a call which cannot be cast aside.

When it is considered that the Army is of an immense magnitude, I am bound to say that the number of Officers, who have misconducted themselves, in a manner so derogatory to the character of Gentlemen, is not inordinate; but at the same time it is so large as to demand repression with a strong hand; and I do trust that the Officers of Regiments will take, not only *vigorous*, but *rigorous*, measures to bring those who are guilty to a

sense of shame at being ordered to appear before a Court of Requests for debt. An Officer, who is summoned before a Court of Requests, must feel conscious that, although wearing the British uniform, he is not standing there in the character of a Gentleman! He must feel, if he feels at all, disgust at his own degraded position. He may, by possibility, have been unfortunate; he may only have been thoughtless; but he must feel in his heart that he is, before the public, in a group with the *infamous;* with those who are CHEATS; and whose society is contamination. A well bred Gentleman cannot support this feeling!

I am not merely a rich man speaking to those who are poor. I have known poverty, and have lived for years on less than half what every Ensign in this Army receives, and so lived too in a more expensive country than India. I take no merit to myself for this: I only state it as a fact, that I may not be taunted, on the threshold of my argument, by being told, I know nothing of the difficulties of poverty: I do know them perfectly, and I know more; I know that every Ensign in India can live well on his pay; and that many, who have never appeared before a Court of Requests, have largely assisted their families: largely, compared to their means.

I do not say that a Subaltern Officer can give dinners; I do not say he can indulge in many *luxuries*; I do not say he can *cast off all self-*

denial; nor do I see why *he should do any of these things.* The proceedings before these Courts of Requests are the shameful proofs that *he should not!* When an Officer gets a Commission, he, without that labour which attends the initiation into most other professions, at once receives a good income, and that before he has any knowledge of his trade. In most other professions a young man hardly gets his food at the commencement. The families of many Officers, if not of all, have made great sacrifices to gain this amply sufficient income for these Officers, and these last have no right whatever to live as if they were Gentlemen of landed property; nor as men do who have served longer and earned a higher rank and greater income than themselves. It is the desire to imitate those above us, and not to regard our own means, that is mischievous to all and most so to young men.

The result is ruin to numbers. To show this, I will quote from two Brigadiers' letters, sent officially for my perusal, upon this degrading subject. "At a Court of Requests held on the 6th instant, "there were 53 cases, and (with the exception of "4, of trifling amount,) all against Subalterns— "amount 4,875 Rupees." Again, the same Officer writes, "Decrees of '*Execution General*' are not "unfrequent, *and the efficiency of the Officers seri-* "*ously affected by their pecuniary embarrassments.*" Again, "Although I am aware that it is very

" difficult to control the expenditure of Officers, " yet, when they are brought forward thus publicly, " month after month, I consider it my duty to " bring to the notice of His Excellency the in- " volved circumstances of the Officers under my " command, with whom, in other respects, I have " no fault to find."

Another Brigadier writes thus—" Another Offi- " cer I know enjoys Champagne Tiffins, leaving " his servants to drag him before the Court for " their just claims. How humilitating for those " connected with and proud of the profession!" Yes! it is humiliating, and long experience tells me that it is to the exemplary conduct of Regimental Officers, and to the sentences of Courts Martial, that the army must look for correcting this baseness in individuals. That the Commander in Chief will support the Officers of Regiments I may venture to assert, whoever that Commander in Chief may be: but the close and dominating power, to keep down such misconduct, is *in the messes.* The man must be base, in every sense of the word, who can bear the contumely of his comrades, incurred by a disgraceful action. But I must not confine myself to messes alone: Commanders of Regiments should strenuously exert themselves to maintain the good name of their Regiments: they should recollect that " Courts of Requests," when they decide that justice to a tradesman, or other creditor, demands of

them to put an Officer under stoppages, pronounce that the said Officer is a man so lost to all sense of propriety that he endeavours to defraud his creditor, and therefore can no longer be considered in the light of a Gentleman; *he is forced to be honorable against his will;* and it is the bounden duty of the Commanding Officer to refuse to such a person all indulgence, and to hold him so strictly in hand that such misconduct on the Officer's part may at all events be as disagreeable to that Officer himself as it is to his Regiment and to his tradesmen !

That I am not exaggerating these matters, I could easily prove by publishing such facts to the Officers of the two Armies, as would shock every honest and honorable man, and show how entirely I am authorized in saying, that these facts are to the last degree dishonorable. One Commanding Officer of a Regiment writes thus, "I can confi-" dently assert, that the numerous cases brought " monthly before the Courts of Requests are a dis-" grace to the Army we belong to."

This is one among many who are labouring for the honor of the service.

I have not sought for this information from Officers: these letters come uninvited from men of high rank in both the Queen's and Company's services; and have been sent to me formally, as official complaints! They are men who feel as every

Officer in the Queen's and Company's services ought to feel.

But while stating how very disgraceful it is for an Officer to appear before a Court of Requests, I will say a few words upon the causes of such conduct.

The *first is*, that some young men get Commissions without having had much education, or perhaps a vulgar one, which is worse. These Officers are not aware that honesty is inseparable from the character of a thoroughbred Gentleman. A vulgar man *who* "*enjoys a Champagne Tiffin* AND "SWINDLES HIS SERVANTS" (as a Brigadier writes to me, when speaking of these matters and referring to an Officer under his immediate command), may be a pleasant companion to those who do not hold him in contempt as a vulgar knave—but he is not a Gentleman! His Commission makes him an Officer, but he is not a Gentleman; and I claim that character in all its integrity for the Officers of Her Majesty's Service and for those of the Honorable East India Company. I speak of men whose own *misconduct* has brought them into debt: not of those whom *misfortune* has thrown into debt. These last are *very* few in number, and very unfortunate indeed to be on the same list with those whom they despise! Of these who are so unfortunate I need not speak; their own exertions to pay their debts are unceasing and honorable.

The *second cause is*, that young men arrive in India, and think that, having escaped from school, it is manly to be dishonorable: so they cheat the Government, by not attending to their duties; and they cheat their tradesmen, by not paying their debts. They meet Champagne-drinking swindlers who sponge on them, and lead them into expense. Thus comes debt; then Bankers are at hand to advance money: thus they become involved past redemption; and soon the habit of being constantly in debt makes them grow callous to the proper feelings of a Gentleman!

Now, if all Officers Commanding Regiments were to do their duty (as great numbers do), and if the body of Officers of each Regiment would give such a Commander proper support, this course would not be followed by young men on their arrival in India. By strict lessons in their duties and plenty of drill, the Commanding Officers of Regiments would prevent Government being cheated; and by the proper gentlemanlike conduct and honorable sentiments which should pervade every Mess, reprobating expense and extravagance of all sorts, and by practising rigid economy in the establishment, the young Officer would at once learn that to drink unpaid-for Champagne, unpaid-for Beer, and to ride unpaid-for Horses, is to be a cheat and not a Gentleman.

The *third cause of debt is* the constant marching of Regiments. This has no remedy in time of War,

and I have strongly recommended that it should be, as much as possible, avoided in time of Peace. It is very severe on the Troops and on the State itself. The Governor General concurred in my recommendation, that the Troops should not be generally relieved this year, and I hope none may be moved for some years to come, if the Peace continues. However, these marches ought not to throw careful and honorable men into debt. They are, when required, the proper and just demands of the service; and every man can be, and ought to be, fully prepared to meet them. Still these marches are causes of difficulty; and the difficulties, which result from them are, in some degree, excusable in very young and inexperienced men, but not so in old Officers, who have risen to the rank of Lieutenant.

The *fourth cause of debt is* the extravagance of Messes. This I entirely charge upon the Commanding Officers. Many Regiments (both Queen's and Company's) have economical Messes, especially in the Queen's Regiments, because the number of Officers in the latter is so large. But many Regiments are extravagant; and in all cases where a Mess is extravagant, the fault lies with the Commanding Officer. I have heard it said by some, that "the Commanding Officer ought not to interfere with the Mess, which should be considered "as the private table of the Officers." Now peo-

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ple who talk thus, forget that there is a wide difference between a Mess and a private Gentleman's table. The last is regulated by his income, and there is but one income and one Master to be consulted as to expense. But in a Mess there are many Masters, and the expense must be regulated by the income of the poorest. The majority have no right to crush the poor and prudent Officers, with the extent of whose liabilities they are utterly ignorant. Must an Officer, because he belongs to a Mess, explain all his distresses, his misfortunes, his generosities, his follies, to the Members of a Mess in order to prove his incompetency to meet its extravagance? Common sense forbids this; yet, unless the Mess is on such economical footing as to enable the Ensign, on his pay, to join it, this infringement on a Gentleman's private liabilities and demands *must take place;* and the Commanding Officer, alone, can protect every one under his orders from the, often insufferable, presumption of Mess Committees. He, alone, can properly direct and so rule matters that the Ensign can live on his pay, and live *becomingly;* that is to say, *save* on his pay! I do *not* call drinking wine or beer, or inviting friends, "*becoming*." It may be so, or it may not, according to the means and feelings of each individual: all I maintain is, that the Mess must leave each Member *free* to do as his means enable him; for each Officer is individually respon-

sible for his conduct to the public, from which he receives his pay. This is *justice*, and justice can never be wrong.

The pay of an Ensign is sufficient for his just expenditure, and the Commanding Officer is, and can alone be, responsible that this rule of rigid and just economy is never infringed. What Officer will go to a Mess Committee and tell his private misfortunes, or his difficulties? yet this is what those people (who say that the Commanders of Regiments ought not to interfere with the Mess) want! They are overbearing tyrants who want to set aside the private affairs of Officers, and to make those Officers, who cannot afford such extravagance, pay for these persons' selfish enjoyments which they want to indulge in at other men's expense: *That* is the real object of those who wish to prevent the interference of Commanding Officers! But the rules of both Queen's and Company's Services give Commanding Officers the right to interfere; and the Commander in Chief will take care to hold them responsible, that the Ensign has his *rights;* namely, the power to live at the Mess, as becomes an Officer and a Gentleman; drinking water if he pleases, or drinking Champagne if he pleases; but able, out of his pay, to liquidate his debts like a Gentleman, drinking what he may. That is to say that the *necessary* Mess' charges leave him enough out of his pay to cover all his other reasonable expenses.

The *fifth cause of expense and ruin*, I believe to be the *Banks*. They afford a ready means for the young and foolish to obtain money, but at an enormous interest. I have heard the objection to Banks contested, on the score that, formerly, Officers, who now borrow from Banks, borrowed from Natives, and even from their own Soldiers; that it is therefore better for an Officer to be in debt to a Bank than to Natives. I am unable to say what was formerly done; but I am perfectly sure that whatever facilitates the borrowing of money produces ruin to young Officers, encouraging those vices which are the most mischievous, especially racing, a vice always accompanied by gambling and extravagance.

Some of the evils which I have touched upon may be remedied by the Commander in Chief; some by Commanders of Regiments; some by the Officers of Regiments, as bodies; and some by individuals themselves. To these I must leave them. I can only offer my advice as I quit the scene. To-day, I am Commander in Chief; a week hence, I shall be no more to the Armies of India than a private Gentleman. But the Armies of India must ever be much and dear to *me!* For nine years my whole energies, such as they are, have been devoted to the honor and glory of the Company's troops. I may say that I have become as much identified with the Armies of the three Presidencies as if I

had risen from their ranks: I have jealously guarded their honor, and I have fought at their head!

I now leave them for ever: but in the retirement of private life, although no longer able to serve them, the destinies of the Indian Armies will ever occupy my thoughts.

I here take leave of them, hoping that this order will be of use, as the last which I can issue to the Armies of India!*

(Signed) C. J. NAPIER, *General,*
Commander in Chief.

Head Quarters, Camp Ferozepore,
9th December 1850.

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* Sir William Gomm, who succeeded to the Indian command on the retirement of Sir Charles Napier, with reference to this address, issued the following General Order:—

Adjutant General's Office, Camp Gorounda, 4th January 1851.—The Commander in Chief feels that he cannot confer a more substantial benefit at this moment, upon the collective Armies of India—especially upon that portion of them which must always comprise a most important and interesting branch of the United Service!—the body of its junior Officers,—than by holding up to their enduring and perpetually respected remembrance, the valuable counsel tendered to the Army at large in the parting General Order of his predecessor in the command, dated the 15th instant.

The Commander in Chief is well aware that advice tendered so earnestly and so forcibly, and with such manifest solicitude for the welfare of all, especially of those to whom it is pointedly addressed, could not fail to command for itself a more than ordinary share of attention and subscription, independent of any effort of his own to enforce the efficacy of the appeal:—but he is anxious not to leave unattempted any means that can by possibility avail for averting the mischief that may be impending in some quarters, or for timely arresting, even in one individual instance, the progress towards courses so distressing in their consequences, to those whose duty it is to adjudge the award, while calamitous in the

[The above address was, on the date of its promulgation in G. O., 15th December, followed up by the subjoined Circular from the Adjutant General, not published in General Orders.]

No. 2693, *Adjutant General's Office, Simla,* 15*th December,* 1850 :—

"Sir,—With reference to General Orders by the Commander in Chief of this date, I am directed by His Excellency to request you will have the goodness to bring to my notice for the information of his successor, General Sir W. Gomm, K. C. B., any cases which may be brought before the European Courts of Requests in the division under your command, which may in your judgment be indicative of laxity of conduct, or of an absence of a proper integrity of principle on the part of those concerned in view to the same being known and recorded in this department; it being obviously highly desirable that the few Officers, whose looseness in regard to their pecuniary affairs and engagements tends to bring discredit on the service to which they belong, should be debarred from partaking of those rewards of staff and detached employ, which ought only to be bestowed upon such as pursue a very opposite line of conduct.

"I am further, by His Excellency's desire, to request, that any cases of high play, or gaming, which may come

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extreme to those at whom the judgment of necessity strikes, all so vividly and instructively set forth in the General Order now adverted to; demonstrative also of the only course open to those in authority, from the Commander in Chief down to Officers in Regimental and even in lower command, unflinchingly to hold by if they would support the fair fame of the Army in Peace as well as in War, and of the general respectability of the Military Society in India.

(Signed) W. Gomm, *General.*

Head Quarters, Fort William,
27*th December* 1850.

under your observation, may be also reported to me; and I am commanded to impress upon you the necessity for checking to the utmost extent in your power, an indulgence in these most pernicious and debasing practices, fraught as they invariably are with embarrassment and pecuniary difficulties resulting too frequently in dishonorable and evasive endeavours to escape from their evil effects, instances of which have only very lately been brought to Sir Charles Napier's knowledge.

"I am permitted to add, that in my capacity of Adjutant General of this Army, it will be my duty, and a duty I will sedulously attend to without respect of persons, to bring to the marked notice of the Commander in Chief all reports which may be made to me of misbehaviour of Officers of the above description, to ensure to the utmost degree practicable that zealous and watchful rectitude of act and honorable bearing on the part of Officers of this Presidency, the absence of which, in some instances, so greatly tends to lower and depreciate the European character in India.

"In conclusion, I am ordered to instruct you to publish this despatch in your division or district orders, for the due information and guidance of all whom its contents may concern.

(Signed) H. T. TUCKER,
Adjutant General of the Army."

MINISTRY OF CULTURE · GOVERNMENT OF INDIA

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APPENDIX.

Appointment of Sir Charles Napier to succeed Lord Gough.

In the height of that paroxysm of alarm and distrust which was excited in England by the news of Lord Gough's dearly-won and indecisive "victories" over the Sikhs on the Chenaub and the Jhelum, Sir Charles James Napier, the Conqueror of Scinde, was, in compliance with the almost general demand of people, parliament and press, sent out to take the place of a Commander who was supposed to have emperilled the British Indian Empire and the honor of the nation. A month before intelligence of Chillianwallah was received, "the leading journal" had brought forward "the one name which would suggest itself to the thoughts of every person as almost alone fulfilling the rare conditions demanded of high military skill, great local knowledge and untiring zeal." On the 6th March, the Prime Minister, Lord John Russell, announced in the House of Commons that the Government had considered it necessary to advise Her Majesty to appoint Sir Charles Napier to the chief command in India, and—amid loud cheering from all parts of the house,—that Her Majesty was graciously pleased to approve of that advice, and that Sir Charles Napier was ready to obey Her Majesty's command and to proceed to India forthwith. On the 7th, the Court of Directors met, with

eager crowds about its doors, to consider this appointment. Of course it confirmed the choice of the sovereign and the nation, but not, as was said, without some discussion, for it loved not and had no reason to love the object of that choice. On the 17th, Sir Charles took the oaths at the India House, and was that same evening entertained by the Court at the London Tavern. On the 24th March he started for India, overland, travelling rapidly across the Continent; and on Sunday the 6th May 1849, he landed at Calcutta, to find the Punjaub made a British Province, and all India in the dullness of a profound peace. Goojerat had been fought before he left England, and precisely one month after the day of his departure, the East India Company in its Court of Proprietors met to echo the thanks of Parliament voted to Lord Gough "for the conspicuous gallantry he had displayed during the operations in the Punjaub, and especially for his conduct on the 21st February in the battle of Goojerat when the British Army obtained a brilliant and decisive victory."—*Compiler.*

Arrival at Calcutta.

We have not yet heard where and with what ceremonies the landing of Sir Charles Napier was effected yesterday, but we know that the warning guns were fired at about half an hour after noon, that the Fort roared a salute about a quarter to four, and that a few minutes before that hour the old hero was ushered into Government House by a sprinkling of staff and three or four gentlemen in plain clothes whom duty or curiosity had nerved to a defiance of the impending shower. Sir Charles was brought up from the ghaut in a carriage of very modest character, and was received altogether with as little of ceremony and display as even *he* could reasonably desire. Of the crowds who would, under more favorable circumstances, have awaited his landing, many perhaps were kept at home by the sanctity of the day, more by the threatening state of the weather—the advent of *Shaitan ka Bhaee* being appropriately heralded by whirlwind and storm—while still more, we believe, were misled by a supposition that the debarkation would not take place till the evening.

The detachment of Native Infantry on duty at Government House was drawn up as a guard of honor to receive the new Commander in Chief, and Sir Charles's first act on alighting from the carriage was to address himself to the Subadar in command, with whom he conversed for a minute or two. A friend who was present describes the distinguished veteran as looking more hale and stout than many would expect to see him.

Since the above was written we have received our Reporter's account of the landing, and give it in the usual place.—*Bengal Hurkaru, May* 7, 1849.

The *Bentinck* was semaphored at 6 A. M. yesterday. Her arrival was not generally known until noon, however, when three signal guns were fired from the Fort, which set people on the *qui vive* to see the conquering hero of Scinde, and the new Commander in Chief of India. A group of Military Officers and Civilians presently assembled at Baboo's Ghaut to see the sight ; but it was long before Sir Charles came up. The steamer anchored off Garden Reach at about 1 P. M.; when Sir John Hunter Littler, Sir James William Colvile, and several others went down in the *Soonamookee,* which was towed by a river steamer, to welcome the great man, and bring him to the ghaut where he should land. The state-boat returned at about 4 P. M. with Sir Charles, who immediately landed, under the usual salute, and proceeded to Government House, in company with Sir John Littler and his suit. The troops in the Fort were, of course, in attendance, being ranged along the Chaundpaul Ghaut ; and received their future Chief with presented arms. We presume Sir Charles will be sworn in an Extraordinary Member of Council to-day.—*Ibid.*

Speech to Her Majesty's 96th, in Fort William.

A friend has favored us with the following highly interesting account of Sir Charles Napier's first appearance in pu... as Commander in Chief, and with a spirited and doubtless sufficiently cor-

rect report of His Excellency's speech to the men of H. M. 96th Regiment :—

"The lately arrived 96th Regiment were reviewed in the Fort at daylight yesterday morning (11th May) by Sir Charles Napier. So quietly had the appointment been made that scarcely half a dozen spectators, besides military men, were present. Sir Charles, punctual to a proverb, reached the parade, accompanied by the Town Major, before a single Officer of the Regiment had made his appearance, and finding no other amusement walked into the barracks. He soon returned however, and subjected the Regiment to a minute inspection, after which it marched past in slow, and again in quick time, and then advanced in line. At the close Sir Charles Napier addressed the men in a characteristic speech. After alluding to his former connection with the Regiment he said—

'I am very glad to meet the 96th again. We have both been a good deal about the world since we were last together, and I am very glad to hear such a good account of the Regiment. Your Colonel tells me that you are not only in good health, but that you are good in conduct—that you have very few men in hospital. Now, this is all right, and I hope you will continue to bear a good character. But let me give you a bit of advice—that is, dont drink. I know young men dont think much about advice from old men. They put their tongue in their cheek and think they know a good deal better than the old cove that's giving them advice. But let me tell you, that you've come to a country where, if you drink, you're dead men. If you be sober and steady, you'll get on well. But if you drink, you're done for. You will either be invalided or die. I know two Regiments in this country,—one drank ; the other didn't drink. The one that didn't drink is one of the finest Regiments, and has got on as well as any Regiment in existence. The one that did drink has been all but destroyed. For any Regiment for which I have a respect, and there is not one of the British Regiments whom I don't respect, I should always try and persuade them to keep from drinking. I know there are some men who will drink in spite of the devil and their Officers—but such men

will soon be in hospital and very few that go in, in this country, ever come out again. I wish the 96th Regiment every success, and am very glad to see it in the state it is.'

After expressing to Major Cumberlege his great gratification, he called the Serjeant Major of the Regiment, with whom he had a few minutes' confidential chat. He then dismissed the Regiment, and proceeded to an inspection of the arsenal.

To our non-military apprehension, the 96th is justly deserving of the high encomiums passed upon it by Sir Charles Napier. Every movement was made with the greatest steadiness and precision ; and the men have a fine healthy appearance, but which, alas, they will speedily lose in this climate. The Regiment has also a superior band, and we trust that the Officers will allow the inhabitants of Calcutta to judge of its merits, by permitting it to perform on the Esplanade on certain appointed evenings. How many hundreds remember the pleasing break in the monotony of their evening drive occasioned by the sweet sounds of the excellent band of the 62nd. We trust the 96th will establish an equal claim to immortality in the hearts of all the fair vesper visitants of the Course.—*Ibid, May* 12, 1849.

Review at Barrackpore.

The Review at Barrackpore will give the Indian Army a foretaste of what it has to expect in its new Commander in Chief. His Excellency on arriving at the Parade—dressed *à la Napier—i. e.* eccentrically, with *solah* hat and Blucher boots, dashed at full gallop to the troops, dispensed with marching past in review and took them at once—open column, right in front,—to the burial ground vicinity, where he wheeled them into line, and gave the order to advance, allowing the commandants of corps to conduct them past the tanks and the congee house—as best they might. He then marched them back to the grand parade, expressed his unqualified gratification in a characteristic speech, remarked that the Officers did not *cover* while marching, and dismissed the Regiments to their lines.

His Excellency addressed the 35th separately, telling Colonel Grey it was an honor to command so distinguished a corps ; conversed with a Subadar covered with medals, tapped him familiarly on the shoulder, and personally accompanying the Regiment to the lines, declared that he regarded it as *the most distinguished corps in the service ;* that he was proud to command an army possessing such a gallant body.—*Indian Times, May* 16, 1849.

Dinner at the Military Club, Calcutta.

The Members of the Military Club, resident in Calcutta and its vicinity, invited Sir Charles Napier to Dinner for the 17th, and the entertainment came off accordingly that evening.

The arrangements were complete, as you will perceive, if you will only take the trouble of glancing your eye over *one* of the Bills of Fare, which I quietly abstracted at a late hour of the evening, and put into my pocket to send to you. The accommodation at the new Club House is so limited that *two* rooms were laid out on the occasion. Sir Charles and the big wigs in what's called the "long room" ; the little fry, in the centre room. Col. Handscomb, as President of the Committee, did the honors. Sir Charles arrived about 10 minutes to 8. When I saw the jockey cap coming out of the carriage, I fully expected the tails of the "Blue Frock" to follow, but I was glad to find it otherwise, if only for Sir John Littler's sake, who was there in full uniform. *What is it* that makes Sir Charles so partial to that funny looking cap of his ! He is as bad as Daniel Wilson, who can't stir anywhere without his three cornered affair. I heard Sir Charles say in the anteroom—"I hear there was an Editor of a newspaper at the Review the other day, I care little what they write about me ; I don't intend to take in any papers during the short time I shall stay in India, so they may write what they like." After dinner, and after the usual toast of the Queen had been disposed of, Col. Handscomb rose to propose the toast of the evening, as follows :—

"Gentlemen, I rise to propose the health of our distinguished guest, Sir Charles Napier, who has honored us with his presence

this evening. I hope I shall escape the disgusting charge of adulation, although in alluding to Sir Charles Napier's distinguished career it will be impossible to speak in any measured terms, or avoid the use of phrases which better become the sycophant than the soldier. It would have been as unbecoming in us, as it is difficult, not to do honor to a Chief who has been sent to us as Sir Charles Napier has been—his nomination clamoured for, and his advent heralded by the unanimous voice of England's sons. The just fame he acquired in Scinde is a true earnest of what he will accomplish here, and in proposing the health of such a man in such an assembly, where I am probably the least fitted to do justice to my theme, I nevertheless feel confident that you will all heartily respond to my call. Gentlemen, the health of Sir Charles Napier with all the honors.

Tune—"There you go with your eye out."

What funny fellows Band boys are ; always doing something ridiculous. Sir Charles rose to return thanks, and made himself heard throughout the room. "Gentlemen, I thank you for the honor you have done me in drinking my health—I thank you still more for the cordial manner in which you have done it—and I thank your President for the kind and handsome way in which he introduced my name. It is with no ordinary feelings of pleasure that I now return to India, proud of the position which I hold among you. I owe much to the Army of India, both Queen's and Company's, and now that I am at its head, I will endeavour to pay back that debt of obligation. I will endeavour to acquit myself, without partiality, favor, or affection. I will endeavour to do justice to all, and I will maintain that discipline in the Army of India which, aided by the gallantry of the soldiers, will ever lead us on from victory to victory, and point out to the whole world that we are the Paramount Power in India, and that those *glorious* sepoys who have so often fought side by side with their European Officers, striving with them even unto their death, are invincible. I feel proud whenever I see the Native soldier bearing the same medals on his breast which I wear, though his are perhaps better deserved, and I feel a double pleasure in the knowledge that such decorations excite the emulation and raise the confidence

of the sepoy. Before sitting down, Gentlemen, you must allow me to propose a toast. The name I am going to mention is one which, *I suspect,* will be received with enthusiasm. He is one who is an honor to *this* country, and an honor to his own. He is one who has ever been the Soldier's friend, and ever will be—one whose career as a statesman is remarkable, need I mention the name of "*Ellenbro.*'" (Deafening, maddening, terrific, frightful cheers; which were responded to by all the jackals in the neighbourhood. A wag near me would have it that it was not the jackals at all, but the young Civilians at the Bengal Club, unconscious that they were doing honor to one who never was a friend to the Civil Service.)

"Ah! I thought as much," continued Sir Charles, his eyes dancing through his specs. "Indeed I was certain it would be so. *I knew* that the name of Ellenbro,' pronounced in an assembly like this, would elicit the cheers which I have just heard. I could go on talking on this subject all night, and even then would fail to convey to you the state of my feelings on the occasion. The health of Lord Ellenborough with nine times nine." After this the healths of Lord Gough, Sir John Littler, and the Navy were proposed. In returning thanks Capt. Johnston made a very happy hit; he said "we can also boast of our hero of the same name and distinguished family." Capt. Champneys also rose and proposed his favorite toast, "The Duke," in the same eloquent strain in which we have been wont to hear him deliver himself on similar occasions. Sir Charles and the Big Wigs retired about ten.—*Englishman, May* 21, 1849.

Letter to Sergeant Bennet.

We subjoin the following letter from the Commander in Chief of India to Color Sergeant Bennet on his having been the first to mount the breach at Mooltan. It was one great secret of the popularity and success of Napoleon Bonaparte, that no one was too humble to escape his notice,—and in this Sir C. Napier has throughout his career resembled the greatest soldier the Continent of Europe ever

beheld. Sir Charles has made two trifling mistakes: Mr. Bennet was Color Sergeant, not Sergeant Major—it was the breach at Seringapatam, not Ahmedabad, Sergeant Graham was the first to mount,—though we believe it was a Sergeant of the "Old Toughs" who planted the Colors on the walls of Ahmedabad:—

"*Calcutta, 20th May,* 1849.

"Sergeant Major Bennet.

"When in 1847 I presented the Fusiliers with their new Colors, I said that the men of our days were as good as those of former days, I was right; and Mooltan has proved every word! In former times Sergeant Major Graham (if my memory serves me correctly) of the 1st Europeans, planted the old Colors on the breach of Ahmedabad. He did a gallant action, and when you planted the British Standard on the breach of Mooltan, your deed was as brave as his, and as renowned!

"The Officers, non-commissioned Officers, and Privates of the first Europeans, in both Presidencies, have sustained, and even, if possible, surpassed by their valor in the present days, the glories of the past.

"Tell your comrades that I rejoiced when I heard of the fame which you have all gained for those new Colors that I had the honor of presenting to the Regiment in Scinde.—I remain, your sincere well-wisher,

"C. J. NAPIER, *Commander in Chief.*

"P. S.—I should have written to you long since, but delayed it till my arrival in India."

The coincidence is striking enough assuredly—but Sir C. Napier seems only aware of one-half of it. Major Mignon, who led the Fusiliers up the breach at Mooltan, is the son of Colonel Mignon, who, exactly half a century ago, led the flank companies of the Bombay Army at the storming of Seringapatam!—*Bombay Times, August* 16, 1849.

Departure from Calcutta for the North-West.

Sir Charles Napier left Calcutta yesterday, under the usual salute, at 1¼ P. M., in his eternal *solah* hat, a tusser coat, and a pair of white unmentionables which appeared to have already done their duty on the previous day; while betwixt his finger and his thumb he held a nosegay whose freshness had gone and fragrance had flown, but which nevertheless, he ever and anon gave to his nose, and took 't away again. He arrived at the Chandpaul Ghaut with the Deputy Governor (who was in full uniform) and suit. A few Military Officers came with the *cortegé* also, and, so far as we could observe, one civil servant. Upon reaching the ghaut, Sir Charles took a cordial leave of Sir John Littler, and stepped into the *Soonamookee*,—rejecting the assistance of one of the *dandees* who officiously put out his hand to raise the Commander in Chief into the boat. The Aids-de-Camp of His Excellency, and our Deputy Post Master, entered the boat with him, and the party lost no time in unmooring and setting out for Chinsurah, whence Sir Charles and his suit are to complete the remainder of their journey by dawk.

The Military Secretary of His Excellency followed in a separate boat, dressed as negligently as Sir Charles, and with a more fantastic head-dress; for it bore the shape of an ordinary hat on an enormous scale, (Sir Charles's is cut after the jockey fashion) and something that looked for all the world like a bathing towel pared of its original dimensions, was placed over it so that the borders in front overhung the wearer's face like a nun's veil, and kept flapping, flapping against his eyes continually; and so much did this extraordinary headpiece disturb the use of his visual organs that he stumbled fearfully in mounting the prow of his boat, and might have suffered severely from a bad fall at least, but for the timely aid of one of the boatmen, who lent him a helping hand, and safely brought him into the boat.

One of the papers stated, on the occasion of Sir Charles's arrival here, that he was looking much better than it had been expected he would. If this was so, Sir Charles must have suffered not a little

in health during his brief sojourn, for he appeared very pale and haggard yesterday.—*Bengal Hurkaru, May* 23, 1849.

SPEECH TO THE FREE MASONS AT SIMLA.

The Free Masons at Simla entertained Sir Charles Napier in the Assembly Rooms on the 1st October 1849. On his health being drunk, with deafening cheers, he rose and spoke nearly as follows :—

" Worshipful Master and Gentlemen ! I return my cordial thanks for the honor you have done me. I should not myself have been inclined to admit that I merit the compliments paid me ; but introduced as they have been by Colonel Curtis, and acknowledged in the manner you have been pleased to receive them, I suppose I must believe that I am in some measure deserving of them. (Cheers). Few Masons can say that they owe so much to Masonry as I do. I am an old, and I fear—a good-for-nothing Mason. I have been forty years a Royal Arch Mason, and yet—I fear—I could not work myself into a Chapter of that high degree : but with the aid of my friend Colonel Curtis I hope to rub off the rust, and be able to do so—for—as I said before— probably no man present can say that he is under the same obligation to Masonry that I am, and I am always glad of an opportunity of acknowledging the same to the Craft.

" I was once a prisoner, without a hope of being even exchanged, and expected to be sent to Verdun, to which fortress in France all prisoners were consigned ; for at this time the two Governments of France and England were so exasperated against each other, that their anger fell on individuals, and there was no exchange of prisoners. A man who was taken, lost all chance of promotion or even of seeing his friends again. In this state of despair and misery—knowing that my family must have believed me to have been killed, I was casting about in my own thoughts for some way in which I could communicate with my family. It came into my head that I was a Mason, and I contrived to poke out a Brother. He was a French Officer of the name of 'Bontemps,' I think, and a very good name

it was—for like a good and honorable Brother he managed to send a letter for me to England—by no means an easy matter in those days; for there were no railroads, or steam engines then, to carry letters like lightning every where, besides, it was at this time an extremely dangerous and hazardous undertaking for a French Officer—but my honest and good Brother did it for me, and within three months my family knew that I was alive. I have acknowledged to being but a bad Mason, but I will not add to this by being a bad companion, and inflicting a long speech on you. I shall therefore only again thank you, and wish all your healths."—*Mofussilite, October* 11, 1849.

At Delhi.

Sir Charles Napier arrived at this station on the 30th ultimo. A guard of honor, suited to His Excellency's exalted rank, was in attendance, and every thing arranged in order to do honor to the distinguished visitor. The gallant Officer however despised such "pomps and vanities," and sent the guard of honor to the "right about," like a second Bombastes "Begone brave army, don't kick up a row." After inspecting the troops and presenting colours to the 41st N. I., Sir Charles departed for Agra, no doubt very much disgusted at having been treated with marked civility and attention. What the native opinion of these eccentricities may be we will not venture to enquire, nor do we suppose Sir Charles cares two straws about it, but, in a country where the observance of pomp and splendour is looked upon as indispensable on all state occasions, and where a man of rank is best known by the magnificence of his train, we should consider the observance of a little form as not only prudent but necessary. It would ensure more respect, and that at but small expense to the State.—*Delhi Gazette, November* 7, 1849.

We repeat again, we wish *that* mail would come in, that we might have some of the "dulce" as well as the "utile" for our readers. In lieu of graver matter therefore, we must relate a few current anecdotes we have heard of Sir Charles Napier whilst at Delhi. Sir Charles

appears to have been in great spirits and won the hearts of every one by his urbanity and kind manner; while at the station he clung firmly to his bit of soap and one towel principle; he kept his resolution of rejecting all invitations to take his luxurious ease in private houses, and remained at the Dâk Bungalow. The attention of the staff was called to the necessity of putting their Pittarahs and property carefully in the Bungalow, as thieves abounded and seeing the apparent carelessness of the party would be on the alert. "My dear sir," was the reply, "we are quite safe, we have nothing." The attention Sir Charles paid to all matters in the Magazine was what all expected from him, he got into every hole aud corner and begrimed himself to his heart's content. When a chilumchee of water *sans* soap was provided "Have you no soap?" Sir Charles asked of the Officiating Commissary. "No, I am sorry to say I have not, there is none here but Company's soap, and I am sure your Excellency would not take that." "Oh?" and Sir Charles looked through his spectacles till his eyes twinkled again as he said—"Let's have the Company's soap." Our Officiating Commissary is but young in the service, but his activity and intelligence appear to have struck Sir Charles. "Are you forty years of age, Sir?" he said "No your Excellency, no not quite." "Why man," said Sir Charles, "you talk as if you were seventy!"—*Ibid.*

Presentation of Colors to the 41st N. I. at Delhi.

The Commander in Chief inspected the Magazine (at Delhi) on Wednesday, and visited the palace the same day. On Thursday morning the troops were out in Brigade order on the race course, and made a very respectable shew as to numbers, appearance, &c. A little after sunrise Sir Charles Napier arrived on the ground, accompanied by only one of his suite, and was received with the customary salute. He rode rapidly down the whole line, and taking his post in the centre, asked what was to be done, as a regular review would break too far into the day, adding something about the chance of being broiled, and that he should like to go through the ceremony of presenting the

colors to the 41st N. I. as soon as possible. The Brigade was accordingly marched once round, and then drawn up in close columns of Regiments on three sides of a square near the race stand, the 41st in the centre. The new colors having been brought to the right front of the corps by two Havildars, supported by two Native Officers,—the Commander in Chief addressed the Regiment in nearly the following words :—

Forty-first—It is a great honor and a great pleasure to present colors to this brave Regiment. I last evening read your accounts of service, and without entering into all the details, I will observe that you are distinguished, among many other things, by three circumstances that must be a source of pride to you as soldiers—First, you are distinguished as the first British Regiment that ever entered the Punjaub, and you entered it under that brave soldier, Lord Lake. You next distinguished yourselves at Bhurtpore under Lord Combermere, and my able, brave and valued friend George Hunter. And thirdly, you have been greatly distinguished at Sobraon under another leader, the third on whose brow you have helped to place the glorious Coronet of a British Peer. I mean that noble old soldier, Lord Gough, who is now on his way home, covered with laurels. Take your colors, and long may you bear these colors, decorated as they are by your valour, and if war again breaks out, again those colors will be distinguished with honor. I have long considered the British Sepoy as the best soldier in the world except the British ;—brave, sober and obedient ; and among them none have been more distinguished than those of the 41st Regiment. And here I must pay a just compliment to the valour of the European Officers, and to Major Halford who led you in the battle of Sobraon. In that action eight European Officers fell on the field, either killed or wounded. A vast number, when we consider how few are allowed to each Native Regiment.

Major Halford replied as follows :—Permit me to express to your Excellency on behalf of the 41st Regiment N. I., our high sense of the distinction you have been pleased to confer on the Corps, by a presentation of these colors, and for the allusion to its past services,

a distinction we may well be proud of, for it will prove an additional incentive, and a guarantee to our bearing them with honor, whereso-ever we may be destined, in the course of future service.

Brigadier Palmer, commanding the station, was then informed,—with an aside that the Ladies present might be angry if he did not indulge them,—that he might put the Brigade through some evolutions, adding that if the Officers kept their proper distance, it was all he cared for. A few manœuvres were gone through with apparent precision. After the inspection, the Commander in Chief ordered Field Officers to the front and said that he was much pleased with all he had seen—that he was very particular about distances and correct covering on which materially depends the correct execution of all movements of large bodies of troops, and that care was always necessary to prevent soldiers firing too high. His Excellency then added that he would take this opportunity of expressing the satisfaction he had derived in observing the good appearance and steadiness of the troops, which was very creditable to Regiments. The Brigade was ordered to the lines at about eight, the heat of the sun bearing evidence that the chance of a broiling was by no means problematical had they stood out much later. His Excellency quitted Delhi for Agra on Tuesday evening.

The old colors of the 41st are to be put up in St. James' Church.—*Delhi Gazette, Nov.* 3, 1849.

At Agra.

The Commander in Chief having signified his intention of reviewing the Brigade, the necessary arrangements were made and orders issued. On Tuesday morning the troops consisting of one company of Artillery, Left Wing 1st Fusiliers, 54th and 63rd Regiments of Native Infantry, and the Regiment of Ferozepore, were drawn up on the Grand Parade in line—senior Regiment on the right of Infantry. At about a quarter of an hour before sunrise Sir Charles Napier arrived accompanied by his own and the Lieutenant Governor's staff. After the usual salute from the Artillery and Infantry, the Troops passed in review in slow time. Sir Charles seemed to

take a particular interest in the Sikh Regiment for he called its Commanding Officer Captain Tebbs beside him while it was marching past, and asked him several questions respecting their good conduct, numbers, &c. After the troops had returned to their original ground they were wheeled into line. The Battalions then advanced in open column from the right, and having gone about 150 yards were again deployed into line on the leading companies of the respective Regiments. Platoon firing from right to left and file firing. The Brigade then retired by Battalions from the right and formed square on the two centre subdivisions of their respective Regiments—firing by faces and file firing. Regiments formed into quarter distance column and the Brigade deployed into line on the 54th N. I., at the same time changing position by throwing forward the right and back the left of the Brigade ;—more firing. The Commander in Chief then called the Commanding Officers to the front and addressed them as follows :—" I have called you in order to express my extreme satisfaction with the manner in which the troops have gone through the several evolutions ; I know that preconcerted manœuvres always go off swimmingly, and I therefore purposely gave you one which you could not be prepared for, and I am highly satisfied with the result. Every movement was executed well and steadily, and I request that you will make my sentiments known to the officers, non-commissioned officers, and men of your respective Regiments." The Commander in Chief then told them to take their Regiments to their Quarters. As the Fusiliers were marching to their barracks Sir Charles rode up to them, and after desiring the fifes and drums to cease playing said—" Men of the Fusiliers, I am glad to have this opportunity of making your acquaintance, for I know you to be as fine a Regiment as any in the world. I know the 2nd European Regiment well, and I like them much. I have ordered you up to Lahore, and if there is any dust to be kicked up there, why you shall be in it." He rode with the Regiment to their barracks, inspected the latter as also the Hospital. He tasted the bread served to the soldiers, and abused the Commissariat contractors. He said he would like to hang every contractor

in India. He then bid good morning to the Officers accompanying him, and *apologized* for having kept them in full dress so long, saying, it was all their own faults as he did not wish them to stay. Sir Charles then got into the carriage of the Lieut. Governor and drove home to breakfast. The impression that the Commander in Chief (so often accused of harsh *brusquerie*), has left on military men at Agra is very favourable. If he was well pleased with them they were equally well pleased with him.—*Agra Messenger, November* 10, 1849.

The last week has been one of unusual excitement, owing to the advent of Sir Charles Napier, but his stay was short, and his movement so eccentric and meteor-like that he has left but a faint impression, which will soon fade. The best story extant regarding his sojourn, is one that he related himself at the Lieutenant-Governor's table, when talking of his want of proper power as Commander in Chief of the Forces of India. Addressing the circle at large he said—"I shall leave you shortly—I can't say ; I am thwarted in every way by the Military Board. What authority has a Commander in Chief in India ? None. Who have, who possess, the authority ? The Military Board ! I was dining with the Governor General at Simla the other day, when I said to him, "My Lord, it's no use ; I might as well resign my authority at once as go on on the present system. The whole authority is engrossed by the Military Board." His Lordship replied—"Not at all Sir Charles, in all things your authority would be respected and appealed to." When I replied—"You are mistaken : the only people I have any authority over in all India are the Apothecaries, and I could not give a dose of medicine to one of them without first obtaining leave of the Military Board to expend a certain quantity of their d—d Medical Stores." You may imagine the grin that pervaded his audience, as they listened to such emphatic language from the lips of a Commander in Chief.—*Bombay Times, Nov.* 17, 1849.

Sir Charles Napier and the 14th Dragoons.

Sir Charles Napier reviewed the 14th Dragoons on the old race course (Lahore) at 7 A. M., on the morning of the 17th instant. After he had seen them perform the different evolutions usual on such occasions he had the Regiment drawn up and thus addressed them: "Fourteenth Dragoons—I have known you since I was a boy. I knew you also in the Peninsula when your gallantry was spoken of by every one, and I there witnessed many of your glorious charges, and it was only a few years ago that I knew you again in Poona, since which time you have lost nothing in discipline, nothing in glory, nothing in fame, nothing in fame I repeat. I care not for idle stories. There is not a finer Regiment in the world than the 14th Dragoons, and no Regiment would I be prouder to lead into action against any enemy."

"Your Colonel mentioned to me that you were young and that the Dragoon swords were not as sharp as the Sikhs. I differ from your Colonel and think you fine broad shouldered fellows, and I hope I may have an opportunity of seeing the strength of your arms and the sharpness of your swords tried, for I well know, men, that you only require leading. Colonel King, I am highly pleased with the appearance of your Regiment.—*Mofussilite, Dec.* 27, 1849.

About six months subsequent to the occasion here recorded, Colonel King committed suicide, and in a letter to Sir Charles Napier, which he wrote just before he destroyed himself, he attributed his self-destruction to the effect which the speech above reported, had on the minds and conduct of his men. This sad matter is discussed in the following epistle addressed to *The Times*, by General William Napier, who endeavours, with what success let the reader judge, to trace the origin and tone of the letter to the assumed insinuity of the writer.—*Compiler.*

"Sir,—Sir Charles Napier's observations upon the Court-martial which, it is said, caused the melancholy death of Colonel King, of the 14th Dragoons, need neither apology nor illustration; but the shameless efforts of writers, evidently tools of more powerful persons, to abuse the public mind as to his speech, made six months before,

when inspecting that Regiment, shall be exposed in all their malignant relief. 'The 14th Dragoons would go any where if properly led.' These are the words put into Sir C. Napier's mouth—but they never came out of it; and, if they had, would not of necessity imply more than that some officer had failed in judgment, unless something known or surmised had given them force and point. However, Sir C. Napier never uttered them; they are the invention of calumniators, who, in their eagerness to lower him in public estimation, do not hesitate thus to forge insults against the unhappy officer they pretend to defend and bewail. Some of the writers have spoken also of a last letter to the Commander in Chief, predicting that it will be suppressed. It is as follows:—

'SIR,—You asked me the weight of men mounted on the 16th of December, 1849. I answered 17 stones 5 lbs. You said, 'That is 3 stone lighter than at home,' which I accounted for by saying the men were young, and tall men were not sent out from England to India. When you asked about the swords, I said we could not keep them so sharp as the natives, who use leather scabbards. Was it judicious in you to repeat my words before the men, perverting their meaning? You bore testimony to the discipline of the Regiment that day under my command. Your remarks before the Regiment sowed the seeds of discontent, which have ripened into mutiny. You are the cause of the stripes and punishment which that mutiny has led to, and distraction and death to one who once had friends, now disgrace and misery to those friends. I have not been an accountable being for this last month.

J. W. KING.'

This letter, the result of insanity, as I shall presently show, would have been thus replied to, if the writer had been living when it was received:—When a general-in-chief is publicly told by a commanding officer, in the hearing of his men, against whom a cry had gone forth for misbehaviour in action, that they were very small men, and not strong—that their swords would not take so sharp an edge as their enemy's swords, and were so heavy, the men could not use them—for these were the real expressions used—when such language was

employed at such a time, it was not only judicious but necessary that Sir C. Napier should address the Regiment as follows :—'Soldiers, the Colonel says you are small men, and your swords are too heavy for you, and not so sharp as the Sikhs' swords. I beg the Colonel's pardon. I see before me men with big hearts, and broad shoulders, and strong arms, and if we have another war I would give them an opportunity to shew what they are made of.' That Colonel King's letter was the result of insanity is but too easily shewn. He says, remarks made six months before caused mutiny, and drove him to suicide,—but there was no mutiny, nor an idea of mutiny in the 14th Dragoons, and the following letter to the Commander in Chief's Secretary, written immediately after the inspection, proves that the writer, Colonel King, was pleased and gratified with Sir C. Napier's address, and the assertions in his last letter are the hallucinations of a distempered mind. 'We were not a little gratified by the expression of the approbation this morning of the most discerning, as well as deserving great Captain in India ; but I beg of you to believe that it was no friendly veil which the dust threw around us, concealing good as well as evil.'

'No more need be said.

'W. NAPIER, *Major-General.*'

THE CASE OF LIEUT. G. J. ASHTON, H. M. 53RD FOOT.

There is not much of novelty in the assertion that Sir Charles Napier is a very eccentric General, of a very original turn of mind ; but we think that the anecdote we are about to relate, will exhibit his conduct in a most outrageously peculiar style, such as would hardly even in these imitative days, find a copyist. It will be recollected that a few months since a young officer, Lieutenant G. Ashton, of H. M. 53rd, was dismissed the service for being intoxicated on duty. The Commander in Chief in confirming the sentence of the Court Martial, added remarks expressive of disgust at the crime, and recorded his firm determination to visit such offences with exemplary punishment. When the result of the Court Mar-

tial became known, the mother of the unhappy young man, a woman of highly estimable character, wrote to Sir Charles Napier and told him how that her son, so far from being a dissolute character, had regularly remitted to her a considerable portion of his meagre allowances, to assist in supporting herself and his younger brothers and sisters. She said that if enquiry were made, it would be found that the crime which had ruined him in its consequences, was the first instance of a departure from the rules of sobriety, and begged that some mercy might be extended to his fault, in consideration of his affectionate conduct as a son, and previous worthiness as a soldier. The reply of the Commander in Chief disclosed his regret that these details had not been furnished at a previous date, as a knowledge of them might have mitigated the severity of his sentence, which, however was not too great for the proved offence. We believe that some further correspondence followed, and which was finally wound up, by the receipt some days since, of a letter from Sir Charles Napier, enclosing the price of an Ensign's Commission, as a donation from his private purse, the perverse old warrior thus seeking to reconcile the claims of duty with the impulses of humanity; forfeiting to the service the privileges of a sentenced prisoner, and atoning for the hardships of justice, by an act of liberal generosity. It is the frequent task of the journalist to dwell upon instances of singular action on the part of statesmen and generals, but it is seldom that their extravagancies take such a shape as this. It needs the occasional misdeeds of an Ashton to render us fully acquainted with the worth of a Napier, an illustration of the well known axiom that misfortune is the parent of goodness.—*Madras Athenæum, January* 8, 1850.

At Peshawur.

A letter from Peshawur, dated the 7th instant, says "Sir Charles arrived on the 1st of the month, and as yet all has gone on well. On the 4th, we had a grand review of the force with blank ammunition. The Commander in Chief addressed the troops as follows, but the words lose half their effect when given at second-

hand—'I do not know when I have come to inspect a body of troops with greater pleasure than I now meet the Peshawur force. The 60th, and I, are old friends; they were long associated with me in Scinde. I knew them well long before that, in the Peninsular war. This month, forty years ago, I was in battle with the 60th. I took the greatest interest and pleasure in hearing of your gallantry at Mooltan, and lately in the Eusufzye Hills, and am delighted again to meet you.

"'With the 61st Regiment I am not so well acquainted, but I have heard of your distinguished conduct at the battle of Chillianwalla. Sir Colin Campbell tells me that in the heat of that action he ordered you to fire two rounds and then cease firing, and that you did so; and I consider that the highest proof of discipline you could show. A Regiment that fires by order and ceases firing by order, can do any thing in action.

"'In the 98th Regiment I am happy to meet old friends who were under my command in England. Ten years ago I incurred a reprimand from the lamented Lord Hill, for reporting, when I presented colors to you, that I considered the 98th in a higher state of discipline than any corps I had seen; and Lord Hill was right in reprimanding me, right as he was in every thing, for I had no right to make comparisons, and yet I did not regret it.

"'I was deeply interested, and truly sympathised in all your losses by sickness in China; but that is past, and I am glad to see you here all in health, and as Sir Colin Campbell tells me, in a good state of discipline.

"'With the Native Regiments I am not acquainted, but I have been informed that the 31st and 70th Regiments distinguished themselves in the last campaign.'

"The review went off beautifully. Twice the whole Cavalry Brigade charged, and each time Sir Charles with his whole staff, and, of course, Sir Colin and his staff too, kept at their head. At the conclusion he called all mounted Officers round him, and said—

"I say now as I say every where, I am not making this tour to praise, but to find out faults; and to-day I watched every thing most

narrowly, and I must say that I could not detect a single error. The discipline and appearance of the Force reflect the highest credit on Sir Colin Campbell, and the corps composing it."—*Englishman, February* 19, 1850.

Expedition against the Afreedies.

Peshawur, 15th February 1850.—In my last I promised that if we had a fight to send you an account of it. I therefore sit down to do so. We marched on the 9th instant, with the following troops under Brigadier Sir C. Campbell, accompanied by Sir C. Napier and the whole of his staff. The first day's march brought us to within five miles of the mouth of the pass leading through the range of mountains which separates the valley of Peshawur from Kohat. The next day we entered the pass, on approaching which Sir Charles received a message from the Afreedies saying that some of them were desirous of coming in but that others were for holding out against us. The reply sent was that the whole should surrender and lay down their arms and would be allowed an hour's time to consider of it. Meanwhile we halted at the mouth of the pass, and a favorable answer not having been received, at the expiration of the time allowed, the troops were again put in motion. Then commenced the work of destruction. Every village we came to was attacked and destroyed, under a desultory fire from the surrounding hills, some of which were crowned by our troops whose advance was covered by artillery. We had thus gained about ten miles through the pass when we came to a halt in the afternoon, and after taking and destroying the last village within reach, the camp was pitched. No sooner had we quietly settled down to make ourselves comfortable for the night than the enemy began to fire at us from every hill near camp. One in particular, under which the Head Quarters Camp was pitched, was soon occupied by the enemy who, under cover of the rocks, came half-way down and opened a fire upon our people, some of whom had gone for water to a pool immediately under this hill. Two sepoys and

a camp follower having been shot while drinking, and some of the enemy's shot having reached the Head Quarters Camp, Sir C. Campbell immediately ordered three Companies of the 31st Regiment to take the hill and keep possession of it during the night. I had just sat down to dress for dinner and was looking forward to a comfortable meal, after being on short commons the whole day when Capt. Hampton received an order to take command of the three Companies and storm the hill. Away they went, and as it was getting dark lost no time in carrying these orders into effect. The detachment was formed into skirmishing order and carried the hill without loss, the enemy having retired after exchanging a few shots with the detachment who, I am happy to say, behaved very well, much to their Commander's satisfaction, because the Chief and the whole of his staff were looking at them while ascending. They passed the night on the summit of the hill without being disturbed, and were recalled on the following morning just before the troops were again put in motion. The same proceedings marked our progress five miles further through the pass, when we again pitched our camp near its outlet within a few miles of Kohat, where we found some Irregular troops in our employ with four guns who had come from Kohat under the command of Lieut. Pollock, in political charge of that place, to assist us if necessary. Here we halted the next day, while Sir Charles proceeded to visit Kohat, in whose absence another village was taken and destroyed by Coke's fine fellows, who being mostly hill men were principally employed in crowning the heights and acquitted themselves nobly, though they had only received their arms the day before we marched. During our stay here an incident occurred which has cast a gloom upon us all, but it is one of those accidents inseparable from warfare in such a country. Two Companies of the 31st Regiment under Dunmore and Sitwell were ordered to ascend a height in rear of our camp and to hold it during the night. The party accordingly left camp and reached the summit before night without opposition, held it until the following morning without being disturbed and were then ordered to withdraw. Dunmore, who commanded the party, then carefully surveyed the hill

which was very steep, high and rugged, and finding none of the enemy in sight proceeded to descend leisurely, but at the same time taking the precaution to do so by alternate companies; the one covering the other in its descent. When Dunmore's company had nearly reached the foot of the hill with Sitwell's some distance above him covering his retirement, he met a party of twenty men of the 31st Regiment under a Native Officer on their way up to replace him and hold the hill during the day time. After having cautioned the Native Officer to be careful and vigilant, he continued his descent, and had nearly accomplished it, when he heard some firing above which induced him to halt and ascertain the cause. Owing to the precipitous nature of the hill it was some time before he could see what was going on, when he perceived that the enemy had opened fire and were throwing down stones. He immediately commenced reascending and met a part of Sitwell's company, from whom he learnt that the party which had been sent to hold the hill during the day had been attacked before it had quite reached the summit, on which Sitwell, who had continued his descent after passing this party, rushed back with a few of his men to support it. In doing so they became suddenly exposed to a murderous fire from the enemy, who under cover of the rocks above very soon destroyed poor Sitwell and the few men he had with him as well as the Native Officer's party. It was the work of a few minutes, and the mischief was done before any assistance could be rendered from below. The bodies of the unfortunate fellows who had been killed were much mutilated before they could be recovered. Poor Sitwell was much regretted by all who knew him. His remains were sent into Kohat for interment. The day after this melancholy occurrence we retraced our steps after having destroyed every village we could get at and returned to Peshawur yesterday, heartily sick of this desultory kind of warfare in which there is neither honor nor glory to be gained. The loss we have sutained has been heavy for so small a detachment, being upwards of one hundred of all ranks. The 31st alone has lost forty in killed and wounded. Hilliard, of the 23rd, has also been dangerously wounded, in a similar affair to that in which poor Sitwell fell, which

occurred on the same day. The Commander in Chief will return to Simla in a day or two.—*Bengal Hurkaru, March* 2, 1850.

The following despatch or letter from Sir Charles Napier to the Governor General, containing his Excellency's account of the expedition, subsequently found its way into the public prints.—*Compiler.*

"*Head-Quarters, Camp Peshawur,* 16*th February,* 1850.

My Lord,—In furtherance of your Lordship's orders to report on the frontier defence, especially on that of the Peshawur District, I was proceeding to Kohat, as on an ordinary march, when the Deputy Commissioner, Lieut.-Col. Lawrence, informed me, that a detachment of Sappers and Miners, repairing the road between Kohat and the Pass, had been unexpectedly attacked by a body of Afreedi tribe, aided by others of the Khyber and Durikzye tribes, to the number of from 700 to 1,200 men; they massacred nearly all the Sappers and Miners; no mercy was shown by the assailants, who came from the neighbouring villages, occupying the fastnesses of the long and perilous defile throughout the Afreedi range of mountains.

2. By this unexpected attack, unprovoked by any misconduct on the part of the detachment, the Civil Station of Kohat was cut off; and it became necessary to reinforce that station, and to punish the insurgent tribes. I therefore ordered the force named in the margin*, accompanied by my own escort, under the command of Brigadier Sir Colin Campbell, for those purposes on the 9th February.

3. On the 10th we entered the Pass, and I was met by some Deputies from the village of Akhor, who endeavoured to exculpate themselves; but Lieut.-Col. Lawrence having assured me that his information was correct as to what villages had formed the force that

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* One troop of Horse Artillery, with separate Elephant transport; two 5½-inch Mortars carried on one Elephant; two Cos. 60th Rifles; two Cos. 61st Foot; two Cos. 98th Foot; 23rd Native Infantry C. in C.'s escort; 31st Regiment N. I.; 15th Irregular Cavalry; 1st Infantry Regiment and 1st Cavalry Regiment Punjab Irregular Force.

massacred our detachment, and that this was one of those villages, my answer to the Deputies was, that their people must give themselves and their arms up to me; that they had received money from the British Government for protecting this road, and that instead of affording that protection they had murdered a detachment of our soldiers. I gave them an hour to consider what answer they would give to my summons to surrender themselves. At the end of the hour they returned, and said, that their companions would not listen to them. I therefore ordered Sir C. Campbell and Lieut.-Colonel Lawrence to crown the heights round the village, but not to fire unless fired upon. The moment our troops advanced, the Afreedi matchlockmen opened their fire, which was instantly returned, our troops driving the enemy before them in every direction.

4. The Civil Authorities then burnt the village, and the column advanced five miles further to its encamping ground at Gurgoon Khail, which the enemy defended; but it was taken; and we pitched our camp, under the fire of matchlocks from the overhanging precipices.

5. On the 11th we continued our march through the defile, constantly skirmishing with the enemy, and encamped at Bosty Khail, about five miles from our last ground, and immediately under the Pass of Kohat, which was in possession of some irregular troops sent by the Assistant Commissioner, Lieut. Pollock, for that purpose.

6. This evening I sent the 1st Punjab Cavalry, under Captain Daly, to Kohat, and myself examined the top of the Pass. The whole of that night the enemy kept continually firing upon our pickets.

7. On the 12th, accompanied by my Staff, I rode to Kohat, and examined its defences and position, &c. &c., returning to camp about 4 p. m. I ordered Brigadier Sir C. Campbell and Lieut.-Col. Lawrence to make preparations for our return to Peshawur the next morning, which they accordingly did, ordering the 1st Punjab Infantry to hold the high ground till our rear guard was out of sight, when this excellent Regiment retired to Kohat, which was thus reinforced by two Corps, one of Cavalry and one of Infantry.

8. In one march the column swept through the whole defile, skirmishing with the enemy all the way, and reaching Muthuee between three and four o'clock, seventeen miles from the morning's ground, and on the 14th we returned to Peshawur.

9. The Civil Authorities burnt six of the offending villages known to Col. Lawrence as having been concerned in the massacre of our detachment.

10. The whole of these operations were ably conducted by Brigadier Sir C. Campbell and Lieut.-Col. Lawrence, commanding the Military and Civil Forces, respectively.

11. Lieut.-Col. Lawrence will of course make his report to the Punjab Government; and I have the honor to enclose that of Sir Colin Campbell, together with a copy of my own General Order, for your Lordship's information.

12. It may be as well to remark, that all the villages that were destroyed had been previously abandoned, none but fighting men remained in them.

13. The conduct of the troops of all ranks was excellent.

14. We have necessarily lost some brave soldiers in these operations. Twenty men have been slain, and seventy-four wounded; among the former, I have to lament the gallant young Sitwell, and four brave comrades who fell at his side, viz., Havildar Gholab Dirchet, Naick Madho Sing, and Sepoys Meerwan Opudeea and Deenbund Pandy, of the 31st Native Infantry. The Havildar and two Sepoys, named Sobha Ram and Buctour Ram, attempted to carry off their wounded leader.

15. The Havildar was killed, the two Sepoys desperately wounded; they were rescued by their comrades afterwards, and are now in hospital. The Naik Hoolas Khan went four times up the hill in face of the enemy, accompanied by Buctour Khan, and brought away a wounded man each time. These were great deeds of valour and self-devotion done by soldiers of humble rank, and I claim for these four men, Hoolas Khan, Sobha Ram, Buctour Ram, and Buctour Khan, the "Order of Merit" at your Lordship's hands. Alas! young Sitwell is beyond human reward. He fell rushing

against the enemy, and calling on his men to follow, and they obeyed him. When he fell, he tried in vain to make them leave him to an unsparing foe, and save their lives; they obeyed *not then*, but died with him! Heroic was the young spirit that inspired such deeds! The Jemadar who commanded the party when Sitwell fell, is said to have conducted himself with admirable judgment, coolness, and courage, and the enemy were defeated in this desperate combat. There was noble leading and intrepid following!

I have, &c.,

C. J. NAPIER, *General*,

Commander in Chief.

MR. MORGAN *versus* MRS. ROWE.

As Sir Charles Napier is so soon about to retire, it would be well, we think, to collect and publish a volume of Napieriana. We have read several very characteristic letters, which we regret that we were not permitted to publish; but one has just been handed to us for that purpose, and we accordingly subjoin it. The affair, as related to us, is as follows. A person employed in a public office, in sending a small sum due to Mr. Rowe, addressed him as Sergeant Rowe. The Sergeant's better half was incensed at this, he being a tailor by trade and employed in the Clothing Department, and probably expected to be addressed Esquire. She wrote an angry letter to the offender, who considering the Sergeant implicated, complained to the Commanding Officer of the station, and not obtaining the redress he expected, forwarded his complaint to the Commander in Chief, from whom he received the following reply, which we think would have been recognised without the signature :—

Camp, 18th April, 1850.

"SIR,—I have received your complaint, and your very sensible remarks on Mrs. Sergeant Rowe's letter. There is, as you say, nothing disgraceful in being a Sergeant, any more than in being a

tailor; which by your letter Sergeant Rowe appears to be. My opinion is that he who *wears an uniform* is of higher rank than he who *makes* it; and the Sergeant is, in my mind, much the highest in rank of the two!—all soldiers are gentlemen, and tailors are only tailors! But it seems that Mrs. Rowe thinks otherwise, and prefers being a tailor's wife, to being an Officer's wife. Now, in my opinion, a lady has a right to hold her own opinion on these matters, and I am unable to give you any redress, because my Commission as Commander in Chief gives me no power to make ladies apologize for being saucy, which is an unfortunate habit that they fall into at times and more specially those who are good-looking, which I suppose Mrs. Sergeant Rowe happens to be. As to the Sergeant having written the letter, that is, neither here nor there, some husbands cannot well help doing as they are ordered, and he may be innocent of malice.

"The only thing that I can do is to advise you to apply to your superior, the Collector and Magistrate of Furruckabad, who will represent the insult which has been put upon you by Mr. Sergeant Rowe (as you state,) and, if possible, Major Tucker will endeavour to persuade the lady to apologize for calling you an ass. More than giving you this advice I cannot do.

"(Signed) C. J. NAPIER,

"*Commander in Chief.*"

Englishman, 28th June 1850.]

The above, which bears strong internal evidence of authenticity, will be further illustrated by the following equally authentic-looking, and equally amusing letter published in the *Delhi Gazette*, as from Mrs. Rowe, the saucy lady who wrote Mr. Morgan down an ass.—*Compiler.*

To the Editor of the Delhi Gazette.

SIR,—As you have copied from the *Englishman*, a letter *said* to be a transcript of one wrote by His Excellency the Commander in Chief, and the Editor's remarks on the same, which are quite wrong, perhaps you will have the honesty to insert this letter in your

paper also, that it may be known what small cause was given for his great display of caustic wit.

In the first place, I did not know any such person, as the Mr. Jas. Morgan, to whom the Commander in Chief is supposed to have wrote ; neither is it possible, (from enquiries I have since made regarding this person) that either my husband, or myself, could have had cash, or any other communication with this individual. The mistake originates thus :—I make Cheese. C. Raikes, Esq., C. S., sent to me from Mynpoorie, to send one for him to a native whose name, I think, is Soo,ur doomche Lal, who, I believe, acts as agent for the above gentleman. As he was ordered, some time after the Cheese was sent, to pay me the amount due for the same, he sent the cash, with a note directed to my husband, (who has of course nothing to do with Cheese making) I felt annoyed, at the circumstance, knowing the native did not write English, and taking it for granted, it had been wrote in the style it was and directed to him purposely to give offence, I retaliated by writing on the back of the note, (as near as I can remember) " Mrs. Rowe has received the amount of C. Raikes' Esqr.'s Bill, and she would thank Mr. Soo, ur doomche Lal, if he would inform her, what impertinent ass, of the genius kerannie, he hires to write his notes that has the presumption to style Mr. Rowe Sergt." About a month after the above was wrote, a friend informed me, that a person of the name of Jas. Morgan was the writer of the note, that he not only acknowledged to have wrote it, (Query, is it honest or lawful to write notes, of *any tenor* and sign them with another person's name?) but had positively sent a petition on stamped paper to the Magistrate, praying for redress, stating that I had wrote words tending to create a breach of the peace ! ! ! ! This was of course thrown out, and the puissant individual then appealed to the Judge, with the same result, afterwards to my husband's master, Major A. Tucker, C. B., agent for Army Clothing, and finally to the Commander in Chief. Now, Sir, considering that my husband, five children, and myself, might have been seriously injured, by the above proceeding, even admitting, (for the argument's sake only) that I was wrong, don't you think the above proceedings

particularly manly and courageous ? Verily it is a pity the Eurasian Cavalry were not formed. To suppose that my husband " probably expected to be addressed Esquire," is a most erroneous supposition, for of all animals, in his, and my estimation, " an ape the gentleman" (*vide* Mr. McBarnett's advertisement) is the most despicable, and we have been so much in the habit of ridiculing the sort of biped, (for there are several in this station) that it is not at all the wish of my husband to increase the number.

I think, Sir, a respectable tradesman, who has been a Foreman at Home, who came to India, as Master Tailor of H. M.'s 3rd Buffs, (recommended by Mr. Buckmaster) and was transferred to the Hon'ble Company's Service to fill his present situation, is not wrong in expecting to see the affix of Mr. to his name when addressed by Civilians ; with the Military, Sergeant has been his highest and lowest for (15) fifteen years, and he, I know, wishes for no other.

After all I do not believe the letter is Sir Charles's for His Excellency is reported to be an excellent and consistent writer, and in the letter it is wrote " he who wears an uniform is of higher rank than he who makes it" ; this is not suitable to the case, for my husband being a soldier does both. Again, " all soldiers are gentlemen." No, His Excellency could not have wrote it, for in the remarks on a recent Court Martial the words are " I have no doubt the Sergeant will willingly forgive this drunken young blackguard," or words to this effect. I should have wrote before, but waited to see if the *We*, with the " wip of formidable dimensions," would manage to twist a little soap out of it, as I felt convinced he could not, but I was mistaken, for four or five lines of a nice soft sort are administered in his issue of the 6th instant.

I have the honor to be, Sir,

Your most obedient Servant,

Futtyghur, Aug. 13, 1850. M. A. ROWE.

Delhi Gazette, Aug. 17, 1850.]

The Case of Dr. Edlin and Captain Fagan.

Dr. Edward Edlin was sentenced by a General Court Martial to suspension from rank, pay and allowances for six months, on conviction of having used violent and improper language to Captain C. G. Fagan. Dr. Edlin's conduct was justified, or at least excused by the contents of a letter from Captain Fagan to him, on the affairs of the Benares Bank, but at the time of the trial this letter had been sent to England and could not, of course, be laid before the Court Martial. On being returned it was forwarded to Sir Charles Napier, who acknowledged its effect by an immediate order for cancelling the unexpired portion of Dr. Edlin's sentence and for bringing Captain Fagan to trial before a Court Martial, by which he was sentenced to dismissal from the service. Captain Fagan's letter to Dr. Edlin was as follows :—

"*Benares, February* 23, 1849.

My Dear Edlin,—You will have wondered at my delay in replying to your letter about the Bank, but it has been intentional, as I wished the public meeting of the day before yesterday to pass over before writing to you. With the expired half-year (31st January,) I resigned my seat in the Direction, as I found its duties press too much on my mind and time, and I was satisfied with the securities I left for the Bank's well doing, the solemn half-yearly *written* declaration that is to be made by Directors and Secretary, that a fourth of the capital had not disappeared during the half-year (a measure entirely of my own suggestion) with the auditors that were to be half-yearly appointed, and with our Secretary, of whom I have a very high opinion and whose wife and daughter (to whom he is much attached) have a large stake in the Bank. I was requested however to return and did so, on the proviso that I was no more to be one of the managing Directors, but to have their full powers, so that I know all that is going on in the Bank, and can interpose where I see needful. The report now issued (you will get it in 2 or 3 days) is the production entirely of parties (now joined in the Direction) who always clamoured for a reform in the Bank, and for entire

publicity to its accounts, &c., so that in it you have *their* opinion of the Bank, and I have no objection to vouch for the truthfulness of all it contains. We are going on as steadily and warily as possible, and I at least have the satisfaction of nothing having occurred in the Bank, while I was on its Direction, which on the score of honest intention and exercise of my best judgment, I could wish not to have occurred.

How are you, and how is your Camp? The eyes of India are upon it, and those eyes also, I trust, which run to and fro through the earth controlling all things, and hearing prayer, for his name's sake.

Ever yours truly,

C. G. FAGAN."

Dr. Edlin died on the 6th April 1850, his death being, it is to be feared, hastened, if not caused, by the anxieties and vexations attending this sad affair.—*Compiler.*

CAUSE OF RESIGNATION.

Sir Charles Napier's resignation had reached England before the last mail left it, and the *Englishman's* London correspondent states, that both the Duke, the Ministry and the Court of Directors consider him in the wrong in the matter which led to his resignation. He will not, therefore, be importuned to remain, and the next mail will probably bring the name of his successor. We are confident that even the most ardent admirers of Sir Charles Napier will concur in opinion with his friend, the Duke, and consider it beneficial to the public service, that Sir Charles Napier should retire from India, to the quiet enjoyment of the laurels he has earned. His further continuance in India is incompatible with the good government of this empire. We do not allude so much to the constant spirit of antagonism which he has manifested towards the Governor General, and every functionary independent of him, and which renders it so utterly impossible to obtain any harmony of co-operation; we refer to that which alone was before the Duke, the immediate cause of his resignation. By

an old rule, which has been in existence for a long series of years, the native troops receive compensation when the price of *atta* and other necessary articles exceeds a certain price. Sixteen seers for *atta* is, we think, the maximum. In the Punjab *atta* was very dear, 9 or 10 seers for a rupee ; ghee, dal, and other articles, correspondingly cheap. The Military Auditor General explained to Government some time ago that the calculation for remuneration as laid down in the rules was not adhered to. The basis of it was that a sepoy's food should not cost him more than Three Rupees and a half, or half his pay. The Auditor General therefore stated, that the account should be in the nature of a debit and credit one ; that is, that the loss on the *atta*, and the gain on other articles should go against each other ; and that the difference was the sum he was entitled to. There is no doubt, we believe, that this is the correct rule ; it was in this manner that the remuneration was calculated in Cabul. The Governor General in Council on this wrote to the Commander in Chief requesting that the compensation might in future be calculated on this principle ; but His Excellency, on receiving the communication, issued a Circular to the Generals and Brigadiers in command, to say that this was altogether a mistake, and that they were to make no difference in the system they had pursued. The Governor General, as might have been expected, felt no inconsiderable annoyance. He did not think fit to alter Sir Charles Napier's order but he pointed out that the instructions he had issued, as the head of the Government, were clear and explicit, and could admit of no doubt, and that if the Commander in Chief could thus set them aside, no order of Government could be of any avail. Sir Charles flared up, and immediately sent in his resignation, which we are happy to perceive has been accepted, for there was some fear lest he should have been solicited to recal it.—*Friend of India, September* 26, 1850.

Speech on presenting new Colors to H. M. 22nd Foot, at Umballah.

"It is a great pleasure to me, O Soldiers, to close my command of the Indian Armies by having the honor to present to the 22nd Regiment their new Colors. It is now eight years since this brave Regiment, then only 500 strong, and under that noble soldier Pennefather, and joined by our dusky and brave companions in arms the glorious 25th and 12th Regiments of Bombay N. I. won the battle of Meeanee —won the battle of Hyderabad—won Scinde for England and won for themselves these proud Colors decorated with the records of your fame! Soldiers! Well may I be proud of being your Colonel —well may I be proud of being Colonel of that Regiment which stood by the King of England at Dettengen—stood by the celebrated Lord Peterborough at Barcelona, and into the arms of whose Grenadiers the immortal Wolfe fell on the heights of Abraham. Well may I exult in the command of such a Regiment! But I will pass over bygone glories and speak of what has happened in our own times—never can I forget the banks of the Fullailee and the bloody bed of that river! where two thousand of our men fought thirty-five thousand enemies! where for three hours the musket and bayonet encountered the sword and shield in mortal combat! for on that dreadful day no man spared a foe, we were too weak for mercy! Shall I ever forget the strong and lofty entrenchments of Dubba —where the 22nd advanced in line unshaken, a living wall! and under a murderous fire stormed the works! There those honored old Colors of which we have just taken leave, bravely borne forward by their Ensigns Bowden and Blake, one of whom Lieut. Bowden I see before me bearing them this day, but in a higher rank, were in a few minutes seen wing triumphantly aloft amidst the combatants on the summit,

Men of Meeanee! you must remember with exultation and with pride what a view burst upon your sight when under a heavy fire you reached the bank of the river, a hurl of shields, and Scindian capped and turbanned heads and flashing scimitars high brandished

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in the air, spread as a sea before you and 35,000 valiant warriors of Beloochistan threatening you with destruction! Then the hostile armies closed and clashed together, and desperate combats thickened along the line! The superb 9th Cavalry of Bengal and the renowned Scinde Horse—the dark chivalry of India burst as a thunder storm cloud charging into the dry bed of the torrent, driving the foe before them! At that moment a terrible cry arose on the right! It was the dreadful British shout of battle! It began with the 22nd and was re-echoed from right to left from Regiment to Regiment along the line! Lines of levelled bayonets now gleamed charging through the smoke, and the well-fought field of Meeanee was your own!

Soldiers! these are not deeds that pass away like summer clouds and are forgotten! they remain fixed on the minds of men, they are recorded in the pages of History! Young Soldiers of the 22nd—when future battles arise and the strife grows heavy and strong, remember the deeds that were done by these old Soldiers of Meeanee! It was they who covered these Colors with laurels! It was they who won the legends which these standards bear emblazoned in golden letters on the silks! Remember these things and shoulder to shoulder win the day! And now, young Soldiers, a few words about drill. It is tiresome and often disheartening and annoys men, but remember that it is drill that makes Companies and Regiments and Brigades and Divisions act together, and to strike as it were with great and mighty blows—it is drill which gives you the battle and the glory of Victory.

Ensigns take these new Colors from my hands. I know you will carry them gloriously on the day of battle, and if you fall, still the Colors of the 22nd will advance, for brave men will never be wanting in the field to bear them forward to victory with fire and steel! And now 22nd take your Colors, and let the ancient city of Chester begirt by its proud old walls exult in the glories of its own brave Regiment."

Lieut.-Col. Boileau, Comg. 22nd Regt., in reply.—In the name of the Officers and Soldiers of your Regiment, I thank you for

honoring us all, by personally presenting our new Colors, an honor for which we all feel grateful and proud, and if any thing were needed to cause us to feel the value of these Colors entrusted to our charge, in peace or war, as our chance may be, it will be the cherished remembrance that it was our gallant Colonel who gave them to us with his own hand."—*Mofussilite, Nov.* 26, 1850.

His Excellency the Commander in Chief has been pleased to publish the following Order relative to the presentation of Colors to his own Regiment the gallant 22nd or Cheshire.

The simplicity and soldier-like style of this order is in singular and favorable contrast with that of his *viva voce* address on the occasion of presenting their new Colors to the Regiment:—

REGIMENTAL ORDERS.

Head Quarters, Camp Loodianah, 30th November 1850.

I was delighted with the appearance and state of the 22nd Regiment. I found one thousand powerful, healthy men on parade, good Soldiers all, and but 29 men in hospital, with trifling ailments, not a case of fever or dysentery among them. The whole Regiment is in good order, and fit in all points for war.

My stay was too short, and the ground too precipitous to exercise the Regiment, but I saw enough to assure me, that it is fit to take its place in a line of Battalions, or to be thrown out in front as a light Corps and in either position to do itself and its Commanding Officer credit. I told the Regiment that I feel proud of being its Colonel, and I repeat it, I am proud, very very proud of it.

I brought the 22nd and 60th into the Hills, that I might have two effective Regiments under my hand, in case of sudden need. I hope that my Successor will keep them both in their present quarters for the next two years. He will then always have two thousand healthy, strong and practical Soldiers ready for service.

I was glad to see the friendship which exists between these two fine Regiments. This makes men work well together in action and in every way that becomes Soldiers. I now bid adieu for the present to the Officers, Non-Commissioned Officers and Privates of my

Regiment with the hope that we shall again meet in England. But meet again or not meet again, my wishes will always be for their health, and for the glory of their Colors in battle.

(Signed) C. J. NAPIER, *General,*
Commander in Chief,
and Col. of H. M. 22nd Regt. of Foot.

Mofussilite, December 10, 1850.]

AT FEROZEPORE.

Ferozepore, 11th Dec. 1850.—His Excellency Sir Charles Napier reached this on the 9th instant. A kind greeting awaited him on the troops being drawn up in line alongside the road for his reception, the 87th R. I. F. on the right, with the Artillery thrown back at a right angle, and facing his approach ; arrangements were made to distinguish Sir Charles from the numerous parties of horsemen coming in the same direction, who with elephants, camels, carts and foot passengers made such a dust, that the first gun, announcing His Excellency, had fired before any of the three thousand men awaiting him, had caught a glimpse of his person. No sooner, however, did the veteran catch the sound, than he put spurs to his horse, and dashed with the whole cavalcade of his staff down on the troops like an eagle stooping on his prey. He was met by the presentation of arms, and three cheers along the whole line—a worthy tribute to his service, his years, his high rank and his anxiety for the public weal. The last military tribute probably that Bengal can pay him, but it is one that carries with it the warm expression of our wishes for his welfare.

Sir Charles rode leisurely down two-thirds of the line, when, either to save time, or to indulge a natural impatience of inactivity, he started again, and wheeling sharply round the left flank, amidst clouds of dust, in which half his cortegé were lost, he dashed along the rear and round to the front again, and would have put the troops in movement had the time and ground permitted, but, on consideration, they

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were dismissed with an expression of His Excellency's approbation of their appearance.

On the 10th at a dinner given by H. M. 87th Fusiliers, where upwards of 50 persons sat down, after the health of Her Majesty had been proposed, that of Sir Charles followed, and was drank with the usual honors. In reply, His Excellency alluded to his having, when quite a boy, been connected with the 87th, and he concluded by proposing in connection with them, the health of their Colonel Lord Gough, than whom, he remarked, a worthier or a more truly noble minded man does not breathe. Sir Charles said he had long known Lord Gough more or less, but that lately he had had opportunity to become better acquainted with his real character, and he would repeat, a more amiable, or a more noble-minded man did not exist. He concluded by saying "the 87th are worthy of *their Baron.*"

Then followed the healths of Sir Dudley Hill, and of Brigadier Gowan, to which suitable replies having been made, Sir Charles resumed the conversation by remarking that he had often heard comparisons drawn between the Officers of the two services, the Royal and the Company's; for his part he could find no difference; we are all from the same stock and the same families—he had always found the Officers of the Sepoy Army in the day of action outstripping their men to the front, and the men themselves the best in the world (as far as his experience goes and it is extensive) to support H. M. Troops. He called heaven to witness that though he had led into action men from the three Presidencies of Bengal, Bombay, and Madras, he had *never* seen *one* of them flinch from his duty. The men then are good; of the Officers he would say no more than "they are our brothers"; and he begged to propose the health of "the Sepoy of the Indian Army," a toast, probably, never given before but not the less heartily responded to.

I have omitted to say that Sir Charles alluded to Ferozepore as the last station in which he would appear as Commander in Chief, and therefore he was glad of having an opportunity to express in a Queen's Mess, his high esteem of the Indian Army; to have done

so at other tables might have seemed flattering, but here he felt more at liberty to speak freely.

The preceding is but a faint sketch of what so openly fell from Sir Charles' lips. But there is one great fact involved in his words, viz., his expressed approbation of the Indian Army, which may render them of value and moment hereafter.

On the 11th Sir Dudley Hill ordered the troops to parade in line for Brigade exercise.

Sir Charles came to look on, but seemed to require that no attention should be paid to him. After advancing, covered by light infantry, the enemy's cavalry and artillery were observed in the distance, and Sir Charles, perceiving with his usual readiness, flew to them and taking command sent to Sir Dudley an intimation of his intention to turn his left flank, the line changed front to the left by throwing forward the right, and supporting the left by cavalry which moved along its rear followed by the artillery, and Sir Charles for once was defeated.

When the change of front had been effected and Commanding Officers called to the front, Sir Charles said he had purposely taken the troops unawares; he had discovered and altered all the pre-conceived arrangements of the day, and he desired to say he had never seen troops more ready in hand, or more quick and steady in movement.

The whole then marched in open column, past a flag placed purposely near a group of elephants on which were all the beauty and fashion of the station. The elephants served as an excellent landmark to the troops who were too far to see the flag, and their position also gave an opportunity for the ladies to see Sir Charles, the troops, and the saluting.—*Lahore Chronicle, December* 14, 1850.

The following is from Ferozepore, December 17th :—" The race ball went off very well, and was attended by Sir C. Napier, and his staff. Dancing was kept up until past one A. M. Sir Dudley took his departure on the afternoon of that day. The whole force was drawn up yesterday along the road to the ghat at 3 o'clock P. M. to honor

the departure of the Ex-commander, who attended by a host of well-wishers, rode up to each regiment in succession, and addressed the Commanding Officer in very nearly these words.—"Lieut. Col. ——— tell the officers and men of your regiment that I leave the command of this fine Army, with feelings of regret and sorrow, owing to particular circumstances, which alone cause me to leave you!" As he passed the line, arms were presented, and drums and bugles having sounded, the artillery fired a "General's" salute:—a few drops of rain falling at the time (as they did also in his late entry,) caused the "dusky" portion of the "chivalry" to exclaim that 'doubtless heaven favored him'! It is arranged that the 46th Regt. N. I., form the escort for the Camp downwards."—*Dehli Gazette, December* 25, 1850.

At Kurrachee.

Station Staff Dinner, 14th January 1850.—"Next came the toast of the evening, the health of Sir Charles Napier, which was proposed by Brigadier General Manson, who in a short but happy speech alluded to all the numerous brilliant exploits of Sir Charles, already before the world, and to his last appointment of Commander in Chief in India, when the eyes of the whole world were upon him, as the only General capable of saving India from the danger apprehended. On the close of the speech the cheers were long and deafening, and it was some time before any thing like silence reigned again.

Sir Charles next stood up, evidently affected, and returned thanks for the honor that had been done him, in drinking his health. Of course every body expected a speech and we were not disappointed; His Excellency proceeded in his usual happy strain, as well as we can recollect, as follows:

"Gentlemen,—Brigadier Manson has referred to my former services, but although I am, and so ought any man to be, proud of having seen service, I cannot for a moment claim all the credit to myself. It was to the gallant Bombay Army that I commanded,

that the credit was due, and yet again I must not give all to the Bombay Army. There was the brave 9th Bengal Cavalry and the hardy little band of Madras Sappers. But there was my own, the 22nd Queen's Regiment, there was the brave 25th Regiment Bombay N. I., which Regiment I love, and then there was the 12th and 8th Regiments N. I., and Bombay Artillery, and this army gave us the victory. There was also the first Grenadiers which I cannot leave out. It is true there was some misunderstanding with regard to the Grenadiers, but I know the Grenadiers to be brave soldiers, and in battle the slightest confusion or misunderstanding is sometimes likely to cast a shade on the best Regiment, whether Queen's or Company's. Look at the 14th Queen's Dragoons. There is not a braver set of men in the world, and yet some misunderstanding at Chillianwalla caused confusion in this brave Regiment, which in another battle, only a few days before, had so nobly distinguished itself. As I cannot accept all the praise myself neither can the brave army share it all; there is another under whose orders I and that army acted, and to whom honor is due, and that person is Lord Ellenborough. I was acting under his orders. As a thorough Statesman, after once giving me command, he treated me as a General Officer. I had his orders to do so and so, and I did so and so, which resulted in the conquest of Scinde. I was vilified for this, abused and scorned, but Lord Ellenborough was a wise politician, and I am not a man to shrink from my duty when honorably treated and trusted as a General Officer in the British Army. If it was not for the conquest of Scinde, I ask you, Gentlemen, where would General Whish and Lord Gough and Lord Dalhousie have been by this? Mind, I do not mean to cast the slightest slur on any of these parties. Lord Gough is a noble brave old Soldier, but I maintain that if it had not been for the conquest of Scinde, which enabled a gallant Bombay Army to appear at Mooltan and Goojrat, I maintain that if Scinde had not been ours at the time, General Whish and Lord Gough would not have gained what they have so gloriously gained, and the Meers would have marched to the aid of Moolraj with one hundred thousand hardy Beloochees to drive us

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from the country. Ask my friend Scott (tapping Colonel Scott on the shoulder) where General Whish would have been, if Scinde had not been ours and a Bombay Army not able to march on Mooltan, and he will tell you where. However, I am digressing from my point, which is, to thank you all, Gentlemen, for the honor you have done me. You are all Bombay Officers now assembled here, and I feel happy in the society of Bombay Officers. It is to them I owe a great deal. I entered on command with them nine years ago. I have commanded an independent Army with full and unrestricted powers, and I have fought and gained victory at the head of the gallant Bombay Army. There are a few here now who have shared with me in battle—there is Hill and Green, and Marston, but for whose sword I should not have been here to night. There is therefore much that attaches me to the brave Bombay Army, and I never can forget that army. I served as a General Officer with that army for nine years, and I am now an old man about 70 years of age. I was about 63 or 64, Colonel Wilson says he is about 63 or 64 now, (much laughter) when I fought at their head and gained victory, and how can I forget that army! Lord Ellenborough trusted me as a General Officer and the brave Bombay Army seconded me nobly. Not as is the custom now-a-days for a General Officer entrusted with command to be told by a Colonel and a Captain that this thing is right and that thing is wrong! (Much cheering). If General Officers are unfit for command, in God's name do not appoint them to command, and I must say there are nine out of ten who ought not to be appointed; but I hold that when once a General Officer is appointed to command he ought to be treated as such, he ought to know what is best for the army under his command, and should not be dictated to by boy politicals who do not belong to the army, and who know nothing whatever of military science. It is this, Gentlemen, this, that has caused me to resign my command. I have been thus explicit with you, because I am among my own Bombay Officers once more. It is this, I repeat, that has caused me to resign; and now, Gentlemen, I again thank you all for the honor you have done me."

Sir Charles sat down amidst most deafening cheering.

Mr. Pringle next rose and proposed a bumper toast to the health of Lady Napier, with three cheers and one more, and which was drunk with all enthusiasm and cheering.

Sir Charles again rose and addressed the Company as follows: 'Mr. Pringle, I thank you, and you also, Gentlemen, for the honor you have done me in drinking the health of my wife: my wife is a good wife, and when one has a good wife, any honor paid to her causes her husband to feel it much, and I feel deeply the honor you have paid her. If soldiers are not to have wives, of course it is a different thing, (much cheering) but when one has a good wife, as mine is, I feel the honor deeply, and now Mr. Pringle, I have to thank you for the honor you have done to me and the care you have taken of my second wife (Scinde). Gentlemen, when Mr. Pringle relieved me from the Government of Scinde, I was vilified, my Government was abused, run down, and abuse against me had supporters among the Government, but Mr. Pringle has upheld my Government as far as was in his power; he has acted nobly, generously, and honorably, and I am proud of the opportunity now afforded me of publicly expressing my gratitude to you, Mr. Pringle.'—*Mofussilite, January* 28, 1850.

Speech at the 83*rd Mess, on the* 15*th January* 1851.—"When Lord Clive came to India, it could only be compared to a calf—when Lord Wellesley governed, India was like heifer, but when Lord Ellenborough arrived as Governor General, India had become a full-grown bull—therefore, Lord Clive had to carry a calf, Lord Wellesley a heifer, but Lord Ellenborough a full-grown bull. His Excellency continued by remarking that Lord Dalhousie was deserving of no credit for the annexation of the Punjaub; it was an act that was forced upon him; while Lord Ellenborough, a calm and profound statesman, had to act for himself which was quite a different thing."

Speech at the 64*th Mess on the* 17*th January.*—Gentlemen, Colonel Stopford has done me the honor of drinking my health, and

in which you all have joined, and for which I feel very thankful. He has also drank it as a Soldier and bid me a Soldier's welcome, and I could not feel prouder of an hour's oration in my favor, than I do of the Colonel's short speech. He has also adverted to the Conquest of Scinde, but as I have often said before, the honor for that Conquest is not due to me : it is due to Lord Ellenborough, under whose orders I, and the Army that I commanded, acted. Lord Ellenborough is a noble, honorable, farsighted politician. He knew very well, and any body with three ideas must have known the same (cheering) that the Punjaub must one day be ours, and with that foresight which distinguished him, he ordered me, when the Meers showed treachery and a disinclination to do what they ought to have done,—he ordered me, I say, Gentlemen, to come to blows with them ; and by the bye it was pretty hard blows when we were at it (cheering) ; and now, Gentlemen, I will give you an instance of Lord Ellenborough's eminent statesmanship, and his forethought as a thorough politician. As I said before, every body with an idea must have known that the Punjaub would one day be ours, and Lord Ellenborough therefore ordered me to build a large Sarai or Depôt for Merchandize at Sukkur. It was Lord Ellenborough's intention to draw all the trade, whether from Russia or Persia, or Cabool, to Sukkur, and from there it would either go down or up the river in boats. It was also Lord Ellenborough's wish to build a dock-yard at Sukkur, and to make every arrangement for building small boats and steamers there. Now, Gentlemen, I suppose you all know, that the Indus above Sukkur or Mithenkote branches out into five streams, like a lady's fan. Well, to navigate these branches, smaller boats are required than those used on the Indus, below Sukkur, which is sometimes like a little sea. Well, it was Lord Ellenborough's wish to build small boats and steamers to carry merchandize from the depôt at Sukkur upwards—and that intended for Bombay could be shipped on large boats, and thence sent down the river to be embarked on large ships. This, Gentlemen, will shew you what a noble and honorable, and far-seeing politician, and real statesman, Lord Ellenborough was

—there was no chicanery or humbugging in any of his designs. However, as I was saying before, Lord Ellenborough ordered me to build the depôt, and of course I was very willing to do it. I selected and marked out a spot for this purpose in Sukkur, and I believe it is there to this day (cheering), and by the bye, as we are here, I may as well tell you Mr. Frere, (turning round to that gentleman) that the ground I selected is within the cantonments of Sukkur, and that you can therefore have nothing to do with it (much laughter.) (Mr. Frere made a short rejoinder which we did not hear.) Well, selecting a spot of ground and building a depôt were different things: when it came to building I found I had to refer to the Military Board, to the Governor General, the Supreme Council, God be praised I have got rid of that Council, and so the work has never been done. But I mention all these facts as a proof of the foresight of Lord Ellenborough. However, I must not make a long speech, as some people think a long speech, particularly after dinner, a great bore (laughter) and so, Gentlemen, I thank you all once again.

At Bombay.

Speech to the Highlanders on the Apollo Pier, 28th January, 1851.—"Men of the 78th! It is a great pleasure to me that you, Her Majesty's Highland Regiment, should have been selected to receive me here on this quay.

"Men! I have not had the pleasure of seeing you since you suffered so fearfully at Sukkur; and, consequently, I have never had an opportunity of telling you publicly, and to your faces, than an infamous falsehood was propagated respecting your march to Sukkur by the lying papers of India.

"The papers of India stated that I ordered you to march to Sukkur at the most unhealthy season of the year. That was an infamous lie, men of the 78th!!

"I marched you at a healthy season of the year,* and when the fever attacked you, you were in Barracks; and the proof of it is,

* The 78th left Kurrachee by wings late in August and early in September 1844, and arrived at Sukkur early in October.—*Compiler.*

that the European Artillery who did not quit their Barracks—who had never marched at all, and who had been two years stationed at Bombay,—the European Artillery, I say, were more unhealthy than you were, men of the 78th Highlanders ! !

"I tell you, men,—I tell you on your parade," and here the General threw his hands together with a most expressive gesture, that this is an infamous—a damnable—a worse than damnable lie ! "And I wish and request you all to tell your comrades what I say.

"I saw you embark at Sukkur, and the state you were then in was enough to break any soldier's heart ; but the low, lying papers of India never broke my heart ; and they never will, and they may all go to * * * * !" Saying which, Sir Charles gave a significant shake of his head, indicative of the word which he would not utter.—*Bombay Telegraph, January* 29, 1851.

Anecdote.—The following anecdote well illustrates the tenacity of Sir Charles Napier's memory, and his Napoleon-like facility of rendering it the means of endearing himself to those who have served under him. On proceeding from the Apollo Pier, after his somewhat warm address to the Highlanders on the subject of their sickness in 1845, he observed half along the Esplanade a horse artillery man in the crowd, on whom his eagle eye was instantly rivetted : it rested on the man but a moment, when he stepped out and grasped him by the hand, and exclaimed—"Delany, I am delighted to see you. How have you been since we met last. How is your wife and dear little boy ? To what troop do you belong ?" The man having answered these questions as quickly as possible, stating that he had some years since volunteered from the Queen's service into that of the Company, said—"Sir, I thought my heart would have leaped to my mouth as I saw you land." Sir Charles, addressing those nearest him, said—"Gentlemen, this fine fellow belonged to H. M.'s 22nd, and was my bugler at Meanee ; and when I had roared myself hoarse, and almost speechless, wound many a cheering blast, such as a sound-hearted soldier in the hour of danger knows how to send forth to his comrades in arms." We

give this on the authority of an officer close by him : if the gallant veteran knew how much greater pleasure it afforded the newspapers to publish such things as redounded to his fame than to dwell on the opposite, he might think differently of them.—*Bombay Times, February* 3, 1851.

Farewell Entertainment, 31st January 1851.—The Dinner at the Byculla Club given in honor of Sir C. Napier, to which we have had frequent occasion of late to allude, took place on Friday night. The light company of the 8th N. I., under command of Captain Ashburner and Lieutenant Beville, were drawn up as a guard of honor at the portico. Most of the men wore the Scinde Medal, having distinguished themselves at Dubba. Sir Charles at once recognized them, and addressed a few words of compliment, which he desired the officers to interpret to the men. There were about a hundred gentlemen present.

The large dining room of the Club is 75 feet by 45—the tables were arranged in the form of the letter U. The room was magnificently lighted up, and the whole arrangements were well nigh perfect. In the large new verandah, into which the dining room opens, in the direction of the race-course, we observed a considerable number of ladies who seemed to have slipped in after dinner to hear the speeches.

Sir Charles arrived punctually at the time appointed,—half past seven,—and was received by Sir W. Yardley, Brigadier Wyllie, Dr. Downes, Secretary to the Club, and the other members of Committee, by whom he was conducted into the large room formerly used as a dining room, now used as a reading room and supper room for the Club. He seemed at once to recognise almost every one he had ever met before, and cordially shook by the hand those of his former friends who were able to reach him through the multitude. Sir W. Yardley presided : on his right sat the guest of the evening, Sir C. Napier, and next to him the Chief Justice, Sir E. Perry, Mr. Pringle, late Commissioner in Scinde, &c., and on the left of the Chairman Mr. J. Warden, Sudder Adawlut, &c.

Brigadier Wyllie acted as Croupier. The dinner was got up in the style of perfection which characterises all the entertainments given at the Club. The Garrison Band were present on the occasion.

The cloth having been removed, and the customary toasts disposed of, the Chairman, Sir W. Yardley, rose to give the toast of the day:—

"Colonel Wyllie and Gentlemen—In rising to propose the toast of the evening I feel it incumbent on me to state that I do not feel myself able to do justice to the illustrious individual who sits on my right. It is unnecessary for me to allude to all the glorious actions he has performed, they are registered in the page of history: it is unnecessary for me to prove that he is a great soldier, there is no spot on the civilized globe where his merits as a soldier are not appreciated, and no where are they better appreciated than in Bombay, whose army he has so often so gloriously led—(great cheers.) We have here the Conqueror of Scinde, the leader of a small body of men hardly to be called an army, but who, led on by such a General, were always victorious. Such glorious conquests effected by means so small makes the victory seem more stupendous. We turn from the General in the field to the Governor in Council—and we there see Sir Charles ruling the country he had conquered with humanity and wisdom. After half a century of labour in the service of his country he retired to rest upon the laurels he had so bravely won, but scarcely had he reached his native country when a new danger occurred, and India seemed again destined to become the theatre of a bloody war. Then it was that the eyes of the whole nation turned to him as the man to whom they trusted to avert the danger, and if ever there was an instance of command having been conferred on an individual by the voice of a people, that instance occurred in the case of Sir Charles Napier. And, although he had just arrived at a happy home,—at the command of his Queen he again came to place himself at the head of the army to fight her battles in an unhealthy climate. It is indeed true that when he arrived here the threatened danger had passed away, but there was still much for Sir Charles to do for the Army, and he has done much—more perhaps than any Chief the Indian armies ever had, perhaps more

than they will receive at the hands of any future Chief,—far be it from me to disparage either his predecessors or successors, the brightness of Sir Charles's glory is not likely to be dimmed by comparison with the glory of ANY other—and now that Sir Charles is about to return to his native country (I say it without disparagement to either his predecessor or successor) he returns to the deepest regret of every body (great cheers). I do not mean to say there are not many officers both able and willing to serve their country by commanding the armies of India, but when a man of well known ability, character and firmness, who did his duty without swerving, as Sir C. Napier did, resigns his appointment, his retirement must be followed with regret, Sir Charles has not been an exception to the rule: like other great men he has been assailed with vile slander and vituperation, but which it is quite unnecessary on his part to refute, and indeed Sir Charles has ever been far above the shafts of malice or the breath of slander.

'Though clouds and darkness round his bosom spread,
Eternal sunshine settles on his head.'

Sir Charles now retires from the stirring scenes in which he has so nobly conducted himself, full of years, but far more full of glory; but although he ceases to take an active part in the affairs of India, he no doubt will never cease to watch over the interest of the army he so truly loves, and which so warmly returns his affection. I hope we never more may be disturbed by wars or rumours of wars, but should our country ever again be assailed by her enemies, may she always have the sword of a Napier to defend her, and my life on it she will not require the pen of a Napier to record her victories (great applause.)"

As soon as the noise of applause had subsided, Sir Charles rose to reply—his speech was as follows:

"Gentlemen,—It is with some difficulty that I rise to thank you for the toast which you have just drunk, and the flattering manner in which it has been received by you, preceded as it was by one of the most eloquent speeches I ever heard. I cannot help feeling myself most highly praised, more praised than I deserve to be, and that in

the most eloquent language, but you can only have in reply a plain speech from a poor soldier, who passing here on his way home, was quite unprepared for the high honor you have done him. I see here as well as Soldiers not a few Civilians. I am supposed to be an enemy to the Civilians in this country—such is not the case—this was ever far below me. Gentlemen, you must allow me large latitude this evening, for so help me God I did not know what I was to say before I stood up. Sir William Yardley has praised me far beyond anything to which I can lay claims, but there is one point in which he has not gone farther than he ought—in saying that I would not feel hurt at being succeeded by Lord Gough. Lord Gough I venerate as a soldier, and there is no nobler heart than that which beats in the bosom of Lord Gough. Sir William Yardley heaps upon my shoulders all the glory of the conquest of Scinde—that glory I beg to share with the armies of India—if something was due to me for arrangement, much was due to the soldiers who fought. Here I see Whittlie, Leeson, Wyllie, and dozens of others I could point out around me ; and there is the brave Bengal 9th and the hardy little corps of Madras Sappers. I love the armies of all the three Presidencies, and cannot pass any of them, but must confess my prejudice to the Bombay Army. I say this not to the prejudice of the armies of the other Presidencies. I have seen among them soldiers as staunch as could any where be found, but I first served with the Bombay Army, and I love it most. I am now seventy years old, and I am afraid become a little prosy, ha !—but you must forgive an old soldier. In Bombay you have good qualities, but you are inclined to hide them. There is a brave and gallant soldier who rose from the ranks, now at this table. He was the first to plant the British Colors on the walls of Mooltan. But regulation, that thing above all others curst, prevents that gallant soldier from sharing in the benefits of a fund, which, in case of his death, would place his widow above the reach of want,—Gentlemen, THAT REGULATION OUGHT TO BE BROKEN, (great cheering.)

"I am afraid, Gentlemen, you must submit to a wild rambling speech, but you must have patience with me. There were two or

three below me of whom I must speak—I like to come to points much better than many of my neighbours do—officers who did more for me than I could ever do for them, the first of whom I would mention is one who fell—Brown of the Bengal Engineers and Major McMurdo, of whom, being nearly related to me, I cannot speak ; and there is Meerza Ali Akbar, my Moonshee, who followed me through all my battles and was with me in every action, who executed all my orders, and without giving him more than his due did as much towards the conquest of Scinde as a thousand men. This man I find here in Bombay disgraced, without employment, and a beggar. I don't wish to find any fault with Government, but this I know, that Meerza Ali Khan has had the benefit of no trial, but has been condemned unheard. After the conquest of Scinde, again, I cannot take to myself all the praise which Sir Wm. Yardley has heaped upon me, I am deeply indebted for assistance in its rule by two of the Collectors—there were three of them, but I say two, Major Goldney and Major Rathborn. These gentlemen followed me in war, but they did more for me in time of peace, and they did much to uphold the honor of India in Scinde. The credit of the rule of Scinde is due to those gentlemen as well as to me, and to them you must give it. I take credit to myself for my zeal to my country, and the welfare, honor, and glory of India. I am called an enemy to the Directors. No, I am not, but when I am illtreated I resist—this is mere independence, independence of spirit, which, old as I am, I hope I may carry to the grave with me. Fifty-seven years ago I received my Commission : I received it with all the thoughtless joy a boy could feel, and now I stand here an old soldier of seventy. I have never felt real anger with anybody, sometimes indeed I have felt anger for a moment, and I have often wished for a good broomstick, and to have been within three yards of the object of them. Every one has his little peculiarities and I'll not hide mine. I turn to the interests of Bombay. Scinde has been conquered, no matter how, or when, or for what reason—it has been conquered, and when I rode through Scinde the other day I saw whole seas of grain. I am not much of a farmer, but I know the

difference between wheat and barley—but there were others with me who were practical men, and who assured me that the riches of that soil were almost boundless ? Your steamers can go right away up the Northwest Provinces to Lahore and numberless other places up there, and will eventually bring down the whole riches of that part of India to enrich Bombay. I met a little man named Arratoon, he was a little man, like one of those small steam tugs, small to look at, but of tremendous power. This Arratoon told me that he had felled a quantity of the most splendid timber up there, it was of a very fine kind, and of the finest growth, and all that Arratoon wanted to bring this splendid timber to your Bombay Dockyard was the assistance of Government to protect it on the way down and prevent its being plundered by rajahs and robbers on the way. Well, Arratoon applied to the Marquis Dalhousie for protection, but he was asked to prove that he had the means of bringing it down ? What had Government to do with means ? Is it not enough for it to let every one look after his own means. I am not much of a politician, but I know that trade must be fostered by Government in the first instance that it may be able to support Government in the second. But this is not much to the purpose. We know there is produce were it only brought down, and then we should see Bombay enriched with all the riches of the Northwest. Bombay, from its locality, from its being the nearest of any of the Presidencies to England, will soon beat Calcutta in grandeur. And there is Kurrachee, which, when I left a short time ago, had only some five thousand inhabitants, when I saw it the other day had twenty-five thousand inhabitants : this is by reason of the conquest of Scinde, and on account of the conquest of Scinde Bombay will soon be the capital of India. Gentlemen, I will not tire you any more, but again thank you for your great kindness, and I beg to assure you that whatever I may have done for the good of India, has been all in my power (immense applause)."

After a short pause Sir Charles again rose and spoke as follows :

"GENTLEMEN,—I again rise unprepared with any speech, but the toast I am now about to propose does not require that I should have come here prepared with any speech to recommend it. I am going

to give you "The Indian Army." When I came out here I thought I was to have been Commander in Chief, but I was mistaken,—yes, Gentlemen, egregiously mistaken. I found that I was merely a sort of monster adjutant,—nor even as a monster adjutant complete, but like a half caste bullock, neither one thing nor t'other. Gentlemen, I do not believe that any one of the Commanders in Chief, who went before me knew exactly what they came out to do, and I'll tell you what is more. Gentlemen, by God I don't exactly know myself. Here with your regulars, and irregulars, your rangers, your Bheel corps, and I don't know what else, you have an army of four hundred thousand men who are fit for anything. Where a British officer leads, you will ever find the black sepoy follow. In that pass where not a shot should have been fired, I saw the noble sepoys covering their officers and carrying off the wounded and the fallen. I never think of the sepoy without admiration, nor of the Bombay 25th without affection. The troops of India are I think equal to almost any troops, indeed I think there is no difference between them and our own British troops ; but Gentlemen, it is my opinion that they have not enough of officers. Give them enough of British officers, and they are a match for any army in the world. (Applause.)

Brigadier Wyllie rose and returned thanks for the toast which had just been drank :

"MR. CHAIRMAN AND GENTLEMEN,—As the senior officer of the Indian army present on this great occasion, I beg to return the illustrious General our warmest and heartfelt thanks for the great honor he has done us in drinking our healths, as well as for the highly flattering manner in which he has done it. I was not prepared to get up on this occasion, and sincerely do I regret that it has not devolved on some more able individual of the Indian army, to which I have the honor to belong, than myself, to return thanks on this occasion ; but this I will say, that no one belonging to that army more fully appreciates the honor that has been conferred upon us than I do. Such a speech, and from such a man as Sir Charles Napier, is praise indeed. And I can say for myself, from my heart, that I shall ever glory in having served under such a distinguished

General,—a General, one and all of us, I believe, have often said, to be led by whom, and we could not fail to be successful."

A pause of some minutes here occurred, when Sir E. Perry rose and thus spoke :

"MR. CHAIRMAN AND GENTLEMEN,—I now have the honor to call your attention to a different class of topics than that which has hitherto occupied your attention,—I now have to present to you Sir Charles Napier in domestic life. We have had him presented to us, in all the active and exciting scenes of warfare, but those scenes are now over, and I am glad to think that they are so. I would now call upon the husbands, those of them who can boast the incomparable blessing of a good wife. I am a thorough Civilian, I love the victories of peace : the sword which has done such good service I should rejoice to see hung up in glorious rust. I have for many years past watched closely every action of Sir Charles Napier's, but the last deed which has come to my notice, his speech of this evening, has endeared him to me as a man, as I already honored him as a General. That a man like him should have enemies, and should be spoken ill of, is natural, such is the characteristic of genius. I would turn your attention to that part of his speech in which he so touchingly alludes to the wife of an officer present, one who has made himself noble by his deeds, but the partner of whose bosom would, should he be cut off in the service of his country, be unable to share the privileges of the widow of a brother officer, but would be left to sink into the depths of penury and want (cries of "Never.") Sir Charles points out to us that this should be remedied; you see we cannot be in the company of a man of genius for five or ten minutes without his teaching us something. And the contradiction that he has been fighting with the civil authorities was such as to entitle Sir Charles not only to the title of a good British Soldier, but to the higher and greater one of a good British Citizen. Sir Charles has shewn that he has not only conquered Scinde, but accomplished the subordination of mind which gives so much the lie to all that has been said against him. I beg to propose the health of the distinguished lady who makes him happy and calls him hers.

Scarcely any woman could have parted so sadly with a husband as she did with him (turning to the ladies.) And now, as there may perhaps be some here who have an interest, nothing could have induced Sir Charles to part with his wife, but that all eyes were turned to him as the only one to save."

Sir Charles in reply said—

"GENTLEMEN,—Before I say anything in reply to this very handsome speech of Sir E. Perry's, I should like to know how many of the Gentlemen present are married. I know my friend here (pointing to Sir E. P.) is not married. I was going to say, I wish my wife were here, but I don't wish her here, for I am going home to her. When I came out here I thought I came for war, and you cannot make war and have a wife and family with you : as it was, I found that I came for peace. I wish I had a woman's tongue, and I'd talk to you all night. In cases such as this, one cannot speak all that one feels ; domestic affection is best known in domestic circles. I cannot speak of my wife as perhaps I would, and it is as well, for a woman's wish to remain unknown is one of their characteristics. I thank you for the honor you have done my wife, for whom I feel all the affection a husband can."

In a few minutes Sir Charles again rose and thus proposed The Ladies of Bombay—

"GENTLEMEN,—It falls to my good fortune (come fill your glasses) —you see I am always fortunate, I always fall on my feet. I beg to propose the health of a lady who by her rank, beauty, attractive qualities, and agreeable conversation, is so admirably fitted to be, as she is, at the head of the Society of Bombay, and of those ladies whom it is the pride of Civilians and Soldiers to devote themselves to, to admire and to love."

Sir Charles had scarcely been seated a minute before he again rose to propose the health of the Chairman thus :

"I see I have silenced the whole body of you. As the ladies won't speak I shall, (come fill up) I don't think I can give you any speech : I feel so flattered, however, it is with very delightful feelings that I now rise to propose the health of your Chairman. I am

afraid to speak in his praise for fear of being accused of wishing to bestow on him some of the praise with which in such eloquent language he has so lavishly covered me. Every one join me in drinking the health of your Chairman."

Sir W. Yardley thus replied—

"Colonel Wyllie—from no man living could I have received the same honor which I have just received at the hands of Sir Charles Napier. When we have with us the greatest General we have ever had, or probably ever will have, amongst us, the chair would certainly have been better filled by Sir E. Perry or some other my senior in rank and more able than myself—the reason for my having been chosen was, when it was proposed to give a dinner in honor of Sir Charles, the rumour somehow got abroad that I was to take the chair. When we met, I was asked to preside, and now, Gentlemen, I have to thank you most sincerely for the honor you have done me."

The Gentlemen rose from the table at a quarter to twelve.—*Bombay Times, February* 3, 1851.

Embarkation for Europe.—Sir Charles Napier has quitted these shores and no doubt for ever. All the Troops in Garrison paraded in review order at half past 4 o'clock yesterday afternoon and formed line on the Esplanade road from the Apollo Bunder towards the Wellesley Statue, the whole forming a street of some considerable length. A company from H. M.'s 78th Highlanders, with the Garrison Band, formed on the Apollo Bunder facing the landing place as a Guard of Honor.

Lady Falkland, accompanied by the Hon'ble Captain FitzClarence, the Hon'ble Sir Erskine Perry, the Hon'ble Sir William and Lady Yardley, the Venerable the Archdeacon, together with a great number of other Ladies and nearly all the principal members of Society, European and Native, assembled on the Pier Head to witness the departure of the renowned warrior. The concourse of spectators of other classes of the community was immense, and the desire to do the retiring General all honor seemed to be universal.

After 5 o'clock the gallant veteran in an undress blue coat came galloping down the line, each corps presented arms as His Excellency came up, and received in return the General's acknowledgment by repeated waving of the hand. His Excellency did not at first seem to be aware of Lady Falkland's presence, and it was not until after he dismounted at the Pier Head that he was made acquainted with it. The General immediately walked back to Her Ladyship's carriage, and after a short conversation took leave of Her Ladyship most cordially. He then proceeded towards the Bunder and in passing shook hands with several of the ladies present, and Jenkins says, actually kissed a few of them! His Excellency was accompanied in the Governor's barge to the steamer by many ladies, and Sir William Yardley, Captain French, L. C. C. Rivett, Esq., and Captain Baynes. On stepping into the boat His Excellency was warmly cheered by the assembled multitude. The saluting battery then boomed forth the usual salute, and no sooner was this over than at the suggestion of Colonel Hale, another, and if possible a still louder and more general, cheer succeeded, which was warmly returned by the party on board with His Excellency. Immediately after the boat had passed the Honorable Company's ship the *Hastings*, a salute was fired from her guns, and several of the merchant vessels followed her example. The shipping in the harbour presented a beautiful sight, being all decorated and dressed out in their flags and best colours. The demonstration of respect and esteem for the distinguished General was complete and universal, and must have been most gratifying to his feelings.—*Bombay Gazette, February* 4, 1851.

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